

Publishers' Invitation to Submit 2004

Health Primary Adoption

**Prepared by
Curriculum Frameworks and
Instructional Resources Division
California Department of Education**

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Attachment B	Grade-Level Emphases Maps
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Glossary of Key Terms

5 CCR

California Code of Regulations, Title 5.

2004 Health Primary Adoption

The process by which instructional materials in health shall be adopted by the State Board under the authority of *Education Code* Sections 60200, 60200.2, and 60200.5. The California *Education Code* (Section 60200) requires adoptions to be held no less than two times every six years in the subjects of language arts, mathematics, science, and social science and no less than two times every eight years in other subjects, such as health, foreign language, and visual and performing arts.

Basic Program

Defined under *Education Code* Section 60010 as “instructional materials that are designed by use by pupils as a principal learning resource and that meet in organization and content the basic requirements of the intended course.”

CFIR Division

Curriculum Frameworks and Instructional Resources Division, California Department of Education, 1430 N Street, Room 3207, Sacramento, California 95814. Telephone: (916) 319-0881. Fax Number: (916) 319-0161. Contact: Suzanne Rios, Administrator, (916) 319-0665.

Criteria for Evaluating Health Instructional Materials for Kindergarten Through Grade Eight

Adopted by the California State Board of Education, March 6, 2002, this document provides five criteria for evaluation of health instructional materials: (1) Health Content/Alignment with Curriculum; (2) Program Organization; (3) Assessment; (4) Universal Access; (5) Instructional Planning and Support. The evaluation criteria appear as Attachment A in this document and can also be found on the Curriculum Frameworks and Instructional Resources (CFIR) Division Web site at <www.cde.ca.gov/ci/cr/cf/>.

CRP

Content Review Panel (CRP) members usually have college or university-level teaching experience and an M.D., Ph.D., or Ed.D in a health-related field. The role of the CRP member is to evaluate those sections in the instructional materials that relate to the member’s field of expertise for current and confirmed research, content accuracy, and alignment to the *Health Framework* and evaluation criteria.

Curriculum Commission

The Curriculum Development and Supplemental Materials Commission established under *Education Code* Section 33530.

Department

California Department of Education (CDE).

IMAP

Instructional Materials Advisory Panel (IMAP) members include individuals who have classroom teaching experience or related experience in coordinated school health, and may also include a broad base of other individuals with interests in school health, e.g. school administrators, school board members, and parents/guardians. The role of the IMAP is to review instructional materials for content accuracy and alignment to the grade-level expectations outlined in the *Health Framework* and the evaluation criteria.

IMAP and CRP Joint Advisory Report of Findings

IMAP and CRP members deliberate on each submitted program and produce one joint advisory report of findings, which contains their consensus recommendation(s) for each submitted program. The report is forwarded to the Curriculum Commission for its consideration. The Curriculum Commission reviews each joint report of findings, holds a public hearing, and determines whether to accept the report or revise it before forwarding the Commission's recommendations to the State Board, which has the final authority on adopting programs.

IMFRP

The Instructional Materials Funding Realignment Program (IMFRP) was implemented by the passage of Assembly Bill 1781, Chapter 802, Statutes of 2002. It consolidated funding for instructional materials, grades K–12, into one program (*Education Code* Sections 60420–60424). The priority under IMFRP is for each pupil in grades K–12 to be provided with standards-aligned instructional materials in reading/language arts, mathematics, history–social science, and science. After that has been completed, remaining funds may be used to purchase other instructional materials.

Integrated Design Strategies

Print, video, audio, tactile, and digital instructional materials or a combination thereof.

Learning Resources Display Centers (LRDCs)

Learning Resources Display Centers established under *Education Code* Section 60202 and 5 *CCR*, Section 9519.

Performance and Ability

Each student's ability to see, hear, move, read, write, attend, organize, focus, engage, and remember.

Publishers

Publishers, producers, and/or manufacturers of instructional materials as used in the *Education Code* and 5 *CCR*.

State Board

California State Board of Education established under the California Constitution, Article IX, Section 7, and *Education Code* Section 33000, et seq.

Technology-Based Programs

Submitted instructional programs that are solely available via computer technology.

Universal Design

Integrated design strategies that accommodate the learning needs of the widest range of students possible, including students with disabilities.

Introduction

This Invitation to Submit invites publishers of instructional materials in health to submit basic programs¹ for consideration for adoption by the California State Board of Education (State Board).

The State Board has constitutional authority to adopt textbooks for grades one through eight (Article IX, Section 7.5, of the California Constitution) and statutory authority to adopt instructional materials for kindergarten. *Education Code* Sections 60200–60204 describe the process for the adoption of instructional materials for K–8 and require that submitted materials be evaluated for consistency only with the *Health Framework*, the health expectations identified in the Grade-Level Emphases Maps, and the specific evaluation criteria approved by the State Board. Publishers that use the *Challenge Standards for Student Success: Health Education*, the National Health Education Standards, or other health standards not approved by the California State Board of Education risk having their instructional materials evaluated as not meeting the content expectations in the *Health Framework* and the evaluation criteria. Furthermore, the final version of programs submitted for the 2004 Health Primary Adoption can refer only to the content described in the *Health Framework* and evaluation criteria. The final version of submitted programs cannot include references to national health standards, health challenge standards, and health standards from other states.

The last adoption of K–8 health materials took place in 1995, with a follow-up adoption in 1998. The instructional materials that are submitted for the 2004 Health Primary Adoption and that are adopted by the State Board will be eligible for funding under the Instructional Materials Funding Realignment Program (IMFRP) and placed on the *Price List of Adopted Instructional Materials*. The State Board-adopted health instructional materials will be on this list and eligible for funding until June 30, 2013. Barring unusual circumstances, primary adoptions in health are held once every eight years. The opportunity and process for follow-up reviews is being discussed and will be in place in the Spring of 2004.

The *Publishers' Invitation to Submit for the 2004 Health Primary Adoption* complies with the requirement that the State Board adopt instructional materials not less than two times every eight years for non-core subjects (the core subjects being reading/language arts, mathematics, history–social science, and science). Health instructional materials that are adopted by the State Board in this adoption will comprise the primary adoption list that will expire on June 30, 2013. Local educational agencies may use IMFRP funds to purchase state-adopted health instructional materials for grades K–8 after the local governing board has certified that each pupil in the district has been provided with standards-aligned instructional materials in reading/language arts, mathematics, history–social science, and science. Local educational agencies may use Proposition 20 restricted lottery funds to purchase any instructional materials, including those on state adoption lists. For more information see the CFIR Web site at <www.cde.ca.gov/ci/cr/cf/>.

¹ “Basic” materials are defined under *Education Code* Section 60010 as “instructional materials that are designed for use by pupils as a principal learning resource and that meet in organization and content the basic requirements of the intended course.”

Express Agreement

By submitting a basic program for consideration in the 2004 Health Primary Adoption, the publisher of the submission expressly agrees to follow the provisions of and the procedures set forth in this *Publishers' Invitation to Submit* (ITS). This document incorporates all applicable statutes, regulations, State Board policies, and evaluation criteria adopted by the State Board [see **Attachment A**].

Changes in statutes, regulations, or State Board policies that occur after the distribution of this document may affect the processes and procedures specified in this document as well as the specific content or format of publications. Inquiries relating to the 2004 Health Primary Adoption should be directed to the CFIR Division (see Section VI, "Contacts for Questions").

Legal Authority

The State Board adopts instructional materials under the authority of Article IX, Section 7.5, of the California Constitution and in accordance with the applicable provisions of the *Education Code* and *California Code of Regulations, Title 5 (5 CCR)*, including, but not limited to, *Education Code* Sections 60200–60204 and 5 CCR, Sections 9500–9530.

I. Primary Adoption of Instructional Materials in Health

This section provides an overview of the 2004 Health Primary Adoption process and procedures.

A. Overview of the *Health Framework for California Public Schools, Kindergarten Through Grade Twelve*, the Evaluation Criteria, and the Adoption Cycle

Historical Context

In 1994 the *Health Framework for California Public Schools, Kindergarten Through Grade Twelve* established a philosophy of health education for the state. The framework presented necessary elements for successful health education programs to develop healthy students. The elements in the framework were ground-breaking and forward-thinking in the area of health at the time.

However, the California *Education Code* Section 60200(a)(6), (b)(1), and (c)(1) requires the State Board to review and adopt a health curriculum framework and full basic health curriculum programs for use in kindergarten and grades one through eight every eight years. Therefore, the State Board, in 1999, requested a list of topics that could be incorporated, as an addendum, into the framework rather than have to approve a full revision because the framework was still considered cutting-edge health education and had not yet been fully implemented by all local educational agencies.

To further emphasize that the framework would only be updated and not be a full revision, the State Board reminded the Curriculum Framework and Criteria Committee, which was to develop the addendum and updates, that it would be working on drafts and that the State Board might edit or modify its work. With the following 17 topics as an addendum to the *Health Framework for California Public Schools, Kindergarten Through Grade Twelve*, the State Board adopted the framework on March 6, 2002. The 17 topics approved by the State Board are listed below:

Background Content

1. Research-based findings related to comprehensive school health programs; for example, recent research showing the efficacy of different drug-abuse prevention strategies.
2. Information regarding an assets-based approach—positive factors that influence successful outcomes, such as support, boundaries, commitment to learning and positive values (similar to resiliency factors), and linkages to early prevention of multiple high-risk behaviors.
3. Content and recommendations from *Schools and Health* (1997), issued by the National Research Council's/National Academy of Science's Institute of Medicine. This is a landmark document providing important recommendations regarding comprehensive school health and research-based findings, such as the cost-effectiveness of health education.

4. An updated list of research articles, new documents, and available resources (including high-quality Internet sites).
5. Updated statistics (national and California) on students' health-related behaviors.
6. Definitions of terms; for example, "coordinated school health" compared with "comprehensive school health."

Program Implementation

7. Updated descriptions of programs such as Healthy Start (which was very new when the framework was originally written).
8. Descriptions of the roles of local advisory or coordinating councils for school health.
9. Medical issues encountered in schools; for example, dispensing of medications (prescription and over-the-counter), universal precautions, and medical procedures (such as blood glucose testing).
10. A description of how local agencies can use data to improve their programs (e.g., California Healthy Kids Survey, Youth Risk-Behavior Survey, California Student Survey, and School Health Education Profile).
11. Updated *Education Code* Sections.

Curriculum and Instruction

12. A description of how specific health content areas (e.g., nutrition, alcohol/tobacco/drug prevention, and growth and development) relate to and are addressed by the grade-level expectations and unifying ideas.
13. How to design the curriculum across various health content areas so that students can meet the framework's grade-level expectations or local standards and classroom teachers and school health leaders can make effective use of available resources (e.g., Healthy Kids Resource Center).
14. Instructional strategies not already addressed in the framework or other documents; for example, teaching refusal skills, handling peer pressure, and dealing with mental health concerns.
15. Guidelines on evaluating the quality of Internet sites and their content.
16. Reinforcement of topics such as conflict resolution, violence prevention (including bullying issues), suicide prevention, and stress management.
17. Strategies that address the needs of special populations, including special education students, foster youths, pregnant and parenting students, and court/community youths.

Evaluation Criteria

The criteria for evaluating the alignment of instructional materials submitted for the 2004 Health Primary Adoption with the content of the *Health Framework for California Public Schools, Kindergarten Through Grade Twelve* are discussed in the framework on pages

222 to 226. The criteria guide the development of instructional materials for kindergarten through grade eight. Instructional materials must meet all the content, evaluation criteria, and grade-level emphases chart expectations in order to be considered for adoption by the State Board of Education.

The criteria are organized into five categories:

- Health Content/Alignment with Curriculum
- Program Organization
- Assessment
- Universal Access
- Instructional Planning and Support

Instructional materials must meet all the items listed in Criterion 1 prior to being evaluated for Criteria 2 through 5. Although Criterion 1 is the gatekeeper, instructional materials must also meet each of the items in the other four criteria in order to be eligible for adoption.

B. Programs Appropriate for Submission to the 2004 Health Primary Adoption (the Basic Health Program)

Education Code Section 60010(a) defines basic instructional programs as “instructional materials that are designed for use by pupils as a principal learning resource and that meet in organization and content the basic requirements of the intended course.” Supplemental resources, meaning those resources for only a portion of the intended course, are not part of this adoption and, therefore, are not appropriate for submission.

It is the intent of the evaluation criteria that health education programs submitted for adoption be designed for use by the classroom teacher as a comprehensive curriculum which will ensure that all students master the course of study outlined in the *Health Framework* and the health evaluation criteria (see above). A basic program is not a partial program or a supplemental resource.

C. Funding for Instructional Materials

Funding for instructional materials in the Instructional Materials Funding Realignment Program (IMFRP), as enacted in the 2003-04 state budget, totals \$175 million, or approximately \$28 per pupil, grades K–12.

Starting with the 2002-03 fiscal year, the IMFRP took the place of three previous funding sources for instructional materials:

- K–8 Instructional Materials Fund
- 9–12 Instructional Materials Fund
- Schiff-Bustamante Standards-Aligned Instructional Materials Fund, K–12

The Instructional Materials Funding Realignment Program (*Education Code*, Chapter 3.25, sections 60420–60424) provides that local education agencies must use the funds to ensure that each pupil, grades K–12, is provided with a standards-aligned textbook or basic instructional materials in history-social science, mathematics, reading/language

arts, and science by the beginning of the first school term that commences no later than 24 months after those materials are adopted by the State Board of Education.

Once a local governing board certifies that it has provided each pupil with standards-aligned instructional materials, the local educational agencies may use 100 percent of any remaining IMFRP funds to purchase other instructional materials consistent with the content and cycles of the curriculum frameworks, including state-adopted instructional materials for grades K–8 in health, foreign languages, and visual and performing arts.

Under *Education Code* Section 60119, school districts are also required, in typical years, to hold an annual hearing and determine whether or not each pupil has sufficient instructional materials consistent with the content and cycles of the curriculum frameworks.

After the local educational agency has met all the requirements noted above, 100 percent of any remaining annual allocation under IMFRP may be spent for other purposes as stated in *Education Code* Section 60242(a). These other purposes include purchasing “at the district’s discretion, instructional materials, including, but not limited to, supplementary instructional materials and technology-based materials, from any source.”

Additional annual funding for instructional materials is provided through Proposition 20, which dedicated half of any lottery revenue growth funds over the 1997-98 base year for the purchase of instructional materials. The estimated allocation for the 2003-04 year is approximately \$11 per pupil, grades K–12.

D. Evaluation of Submissions

Each program submitted under the 2004 Health Primary Adoption shall undergo the following evaluations:

1. Subject Matter Content Review

A content review shall be conducted in each subject matter area. Health materials will be evaluated using the *Criteria for Evaluating Health Instructional Materials for Kindergarten through Grade Eight* [**Attachment A**] and the Grade-Level Emphases Maps [**Attachment B**].

The *Health Framework for California Public Schools, Kindergarten Through Grade Twelve* is available on the CFIR Web site <<http://www.cde.ca.gov/ci/cr/cf/>> or can be purchased from CDE Press at (800) 995-4099.

2. Legal Compliance Review

There will be dual legal and social compliance reviews: (1) one by the IMAPs and CRPs; and (2) one by a review team of the general public. The citations and comments will be consolidated and given to the publishers for further discussion and appeal, if necessary.

3. Public Review

The opportunity for public review shall be provided at the Learning Resources Display Centers (LRDCs) [see **Attachment I**] in accordance with *Education Code* Section 60202 and 5 *CCR*, Section 9519. At the LRDCs, the public may review the programs submitted for adoption and make comments about the programs' suitability for adoption under the 2004 Health Primary Adoption. Comments received from the public are made available to the members of the Curriculum Commission and the State Board.

Before recommending submitted programs for the 2004 Health Primary Adoption, the Curriculum Commission shall hold public hearings at which all interested parties may present comments orally and/or in writing. Similarly, the State Board shall hold a public hearing at which all interested parties may present comments orally and/or in writing before the State Board takes action to adopt or reject the instructional materials.

At the public hearings, oral presentations may be subject to time limits established by the presiding officer. These time limits are based on the number of individuals wishing to speak. Time limits are frequently two to three minutes, but they may be reduced to one minute if the number of persons wishing to speak is extraordinarily large. Those wishing to speak should prepare their oral remarks accordingly. It is recommended that individuals wishing to present written testimony (whether separately or in addition to oral remarks) at any of the public hearings bring at least 50 copies for distribution to the members, staff, and audience.

II. Schedule of Significant Events

Adopted by the State Board of Education on December 11, 2002
Revisions approved by the Curriculum Commission, September 18-19, 2003

Dates	Key Events
March 6, 2002	State Board adopts Framework and evaluation criteria.
November 14-15, 2002	Curriculum Commission recommends timeline to SBE on adoption of instructional materials.
December 2002-January 2003	State Board reviews and approves timeline on K-8 adoption of instructional materials.
April 2003	Framework and evaluation criteria briefing for publishers.
March 1 – August 1, 2003	Recruit Instructional Materials Advisory Panels (IMAPs) and Content Review Panels (CRPs).
September 2003	Commission votes to recommend IMAPs and CRPs to State Board.
October 3, 2003	Notification of Invitation to Submit Meeting sent to producers and publishers of instructional materials.
November 7, 2003	Deadline for publisher response to Invitation to Submit Meeting (ITS).
November 6-7, 2003	Commission votes to recommend IMAPs and CRPs to State Board.
January 2004	SBE action on IMAP and CRP nominees.
December 12, 2003	Invitation to Submit meeting for representatives of publishers/producers.
February 27, 2004	Deadline for receipt by California Department of Education (CDE) of submission diskette, technology requirements, and Publisher's Checklist indicating Alternate Sampling Plan requests. Publishers also provide a short narrative description of the submitted program.
March 12, 2004	Distribution by CDE of requests for price quotations.
March 19, 2004	Deadline for publishers to request written permission from CDE to sample materials in other than final form.
April 6-9, 2004	IMAP & CRP training and publisher presentations.
April 13, 2004	Deadline for instructional resource samples and Grade-Level Emphases Maps to be received by designated sites and persons as directed by the Department.
May 20-21, 2004	Legal and Social Compliance Review
May 2004	Materials on display at Learning Resource Display Centers (LRDCs) throughout the state. Forms for public comment are available at the centers.
June 10, 2004	Deadline for receipt by CDE of price quotations, including transportation costs.
June 25, 2004	Distribution of notices of noncompliance with social content requirements to publishers/producers.

Dates	Key Events
July 8, 2004	Deadline for publishers/producers to withdraw from the adoption.
July 19-23, 2004	Deliberations by CRPs and IMAPs.
July 30, 2004	Deadline for receipt by CDE of publishers' responses to noncompliance notices (legal compliance).
September 2004	Curriculum Commission Meeting: Public hearings conducted by Subject Matter Committee(s) and full Commission; Commission takes action.
September 2004	Notify public regarding LRDC public display of recommended resources for adoption.
September-October 2004	Required 30-day public display of recommended resources at LRDCs. Forms for public comment are available at the centers.
October 2004	If needed, edits/corrections meeting.
October 2004	Curriculum Commission forwards recommendations, for information, to the State Board of Education.
November 2004	Curriculum Commission presents recommendations to SBE. SBE holds public hearing and takes final action.
December 2004-January 2005	Finalize SBE Adoption Report – Post on SBE and CDE web site.
December 2004-January 2005	Distribution of Price Lists and Order Forms to school Districts.
January 2005	Post adoption briefing for all approved publishers.
February 9, 2005	Deadline for receipt of final printed resources including legal compliance corrections or change (60 days after SBE action).
February 2005	Deadline for publisher to send materials for braille transcription.

III. Publisher Responsibilities in the 2004 Health Primary Adoption

A. Submissions

This document is distributed to all publishers who have notified the Instructional Resources (IR) Unit of their interest in participating in the 2004 Health Primary Adoption.

In response to this Publishers' Invitation to Submit, publishers shall submit lists of programs that they desire to be adopted for use in California schools. The lists shall contain a description of each program that a publisher submits for the adoption and include all of the program's components that are to be reviewed. Further instructions are provided in the section entitled "Distribution of Samples" (page 24). In addition, publishers must identify whether an item is for use by the student, the teacher, or the parent. A CD-ROM, contact form, and instructions to provide information regarding the submissions will be supplied to each publisher upon request [see **Attachment C**].

1. Instructional Materials

a. Instructional Materials Appropriate for Submission

Only basic programs, including any separately identified components, may be submitted for this adoption. *Education Code* Section 60010(a) defines basic instructional programs as "instructional materials that are designed for use by pupils as a principal learning resource and that meet in organization and content the basic requirements of the intended course." Teacher resources address the way in which all elements of the submission, including any separate components (e.g., literature books, audiotapes, computer software), are to be used.

b. Alternate Formats of Instructional Materials Appropriate for Submission

The 5 *CCR*, Section 9528, allows publishers and manufacturers to submit alternate formats of adopted instructional materials to the Department for approval at any time during the period of adoption. Alternate formats are defined as:

- (1) Instructional materials which are identical in content to adopted instructional materials but are different in physical format (e.g., hardcover or soft-cover, audiotape or CD-ROM, single color or multicolor, software that is in multiple versions for use on different computer operating systems); or
- (2) Translations or literature that is equivalent in content to adopted instructional materials. Alternate formats submitted in languages other than English will be reviewed for accuracy in translation and to determine whether the material is equivalent in content to the adopted materials prior to approval as an alternate format. For this reason, publishers are requested to submit any alternate formats in languages other than English after the State Board has adopted the health program list for grades K–8.

To facilitate identification, publishers should list alternate format items immediately following the component for which they are an alternate and answer “Yes” in the alternate formats field on the CD-ROM submission list.

c. Use of Abridged, Adapted, or Excerpted Literary Works

Publishers of instructional materials shall indicate which literary works have been abridged, adapted, or excerpted (e.g., on the table of contents, copyright page, back of the title page, or at the beginning of such a literary work). This information must appear in both the student’s edition and the teacher’s edition. Detailed descriptions of the changes must be made available from the publisher upon the request of the Department or any local educational agency.

Publishers are strongly encouraged to include the detailed descriptions at the beginning of each literary work so that teachers are appropriately informed. This description would ideally include a brief rationale for the changes. A possible format follows:

“Eating Up Chocolate,” adapted from *Eating Up Chocolate* by Alfred Bargerberger. Copyright 1981 by Alfred Bargerberger. Adapted and reprinted by permission of Manatee Publishing, Inc.

Student Edition pages:

Description of change:

Rationale:

Additional information on this practice can be found in *Resolution on Opposing Abridgment or Adaptation as a Form of Censorship* by the International Reading Association (IRA), as adopted by the IRA’s Delegate Assembly in May 1997.

d. Identification of Authors, Consultants, Reviewers, and Others Involved in the Development of Instructional Materials

In both the teacher resources and student resources, publishers must list authors, reviewers, consultants, advisors, field-test teachers, and others who actually contributed to the development of the materials. Please indicate, for those who are listed, in what capacity they served. Publishers must provide additional related information upon request by the Department or any local educational agency.

e. Customized Instructional Resources

Publishers are encouraged to consider customizing instructional materials. For example, computer software can make it possible to select and sequence specific chapters; to update resource references in those chapters; to facilitate the production of braille; to provide access to text for students who cannot benefit from traditional print versions of books; to include descriptions of graphics; and to include pertinent primary sources as well as other related resources. Through the application of technology, publishers can make materials accessible to all students.

f. Formats for Instructional Materials

Instructional materials should encourage active learning and encompass a range of materials sufficient to meet the needs of students at various

benchmarks and strategic levels of intervention. The teacher must not be expected to create extensive modifications in order to meet the learning needs of a full range of students.

Internet Web site and/or technology-based materials that are an integral component of a submitted program must remain unchanged throughout the period of the adoption. Publishers must submit a Statement of Assurance that the content of the program that was evaluated *will not change* during the duration of the adoption cycle. Instructions for submitting the Statement of Assurance will be sent by the CFIR Division to publishers that submit technology-based materials.

Recognizing that the range of performance and ability of students varies greatly, producers and publishers must apply universal design strategies when creating learning resources. Learning resources should be designed to accommodate a full array of learners, including English learners, advanced learners, and students with disabilities. Traditional print materials, such as textbooks and workbooks, should have sharp, clear, high-contrast fonts and meet any requirements that may be added to the *Education Code*. (Note: The State Board will be adopting textbook weight standards by July 1, 2004.)

Publishers must provide computer files of print materials intended for student use to facilitate the production of braille (*Education Code* Section 60061(a)(7)(A)(B)). Computer files or other electronic versions of materials adopted shall be provided to CDE within 30 days of request. Computer files or other electronic versions of literary titles shall maintain the structural integrity of the standard instructional materials, be compatible with commonly used braille translation and speech synthesis software, and include corrections and revisions as may be necessary. Senate Bill 842, Karnette, Chapter 800 of the Statutes of 2003, added Section 60061.8 to the *Education Code* (effective January 1, 2004). Though this section does not apply to basic instructional materials adopted by the State Board prior to January 1, 2005, publishers of basic instructional materials submitted for the 2004 Health Primary Adoption are encouraged to modify their materials as may be necessary to comply with this section.

Section 60061.8 will provide that basic instructional materials shall comply with the following:

- (1) Print materials shall have sharp, clear, high-contrast, and highly legible fonts. Print materials designed for kindergarten shall use fonts that are at least 20 point. Print materials designed for grade one shall use fonts that are at least 18 point. Print materials designed for grade two shall use fonts that are at least 16 point.
- (2) Video products designed for pupils in kindergarten and grades one through twelve, inclusive, shall be closed-captioned, as defined by the Federal Communications Commission, except for the following:
 - (a) Those video products or portions of video products, if any, for which the publisher does not have the rights to do so.

- (b) Those video products or portions of video products that are open-captioned, meaning that all viewers see the captioned information.
- (3) Internet resources and digital multimedia programs intended for use by the general population of pupils in kindergarten and grades one through twelve, inclusive, shall at least meet the standards for accessibility as set forth in Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Sec. 794d), and regulations implementing that Act as set forth in Part 1194 of Title 36 of the *Code of Federal Regulations*, unless meeting those standards would do any of the following:
 - (a) Fundamentally alter the nature of the instructional activity.
 - (b) Result in those resources or programs placing an undue financial and administrative burden on the state agencies, school districts, or schools that would likely access or utilize the resources or programs, as determined by the affected agencies in collaboration with the publishers.
 - (c) Cause those resources or programs to fail to meet standards otherwise required by statute or regulation.
- (4) In order to facilitate access by pupils with disabilities who are progressing in the general curriculum, to the extent technologically feasible, a digital multimedia program shall allow the user to control sizing of images and fonts, speed and volume of audio, colors or contrast, or both colors and contrast, and other inherently transformable attributes, but not the modification of content, to match individual performance and abilities. If a publisher is not able to create a multimedia program that satisfies the requirements of this subparagraph, the publisher shall provide the California Department of Education, upon request, with computer files or other electronic versions of textual content of basic instructional materials compatible with braille transcription, meeting Department specifications, at no additional cost and as a condition of sale.

Many design resources exist to help make learning resources more accessible to more students. Publishers are encouraged to investigate the Department's Clearinghouse for Specialized Media & Technology (CSMT) Web site at www.cde.ca.gov/re/pn/sm/ or to contact CSMT directly at (916) 445-5103.

g. Use of Safe Art Supplies in Instructional Materials

Any art and craft supplies listed or suggested for use in any submission must comply with *Education Code* Sections 32060–32066. These provisions (1) prohibit the purchase of any toxic art or craft supplies for use in kindergarten and grades one through six; and (2) allow the purchase and use of toxic art supplies in grades seven through twelve only if the materials display a warning label. Art or craft supplies are defined as “any raw or processed material or manufactured product marketed or being represented by the manufacturer or repackager as being suitable for use in the demonstration or the creation of any work of visual or graphic art of any medium. These media may include, but shall not be limited to, paintings, drawings, prints,

sculpture, ceramics, enamels, jewelry, stained glass, plastic sculpture, photographs, and leather and textile goods.”

For further information regarding art and craft supplies, please contact Don Doyle, Consultant, Curriculum Leadership Unit, (916) 323-2469.

h. Accuracy Issue

It is the responsibility of publishers submitting programs to ensure the accuracy of the materials to be evaluated and approved, pursuant to *Education Code* Section 60200(c)(3). While the CRPs and IMAPs will include recommended corrections and edits, publishers must ensure the complete accuracy of all instructional materials submitted.

2. Submission Address and Schedule

On or before 5:00 p.m. (PST), February 27, 2004, publishers must provide the following items to the CFIR Division:

1. Submission CD-ROM
2. A short narrative description of the submitted program
3. Technology requirements and contact person for technology-based programs
4. Publisher’s checklist, with Alternate Sampling Plan Request

Receipt of submission information after this deadline shall result in disqualification of the instructional materials from further consideration in the 2004 Health Primary Adoption, unless publishers are able to show compelling circumstances beyond their control (e.g., natural disaster) that prevented them from meeting the deadline. It is suggested that publishers deliver the CD-ROM and required information in person or send them by certified mail so that delivery by the deadline is confirmed (see Attachment D).

Please deliver to:

Suzanne Rios, Administrator
California Department of Education
Instructional Resources Unit
1430 N Street, Room 3207
Sacramento, CA 95814

Note: Any subsequent changes to the information on a submission list should be sent in writing to the CFIR Division at the address shown above.

3. Forms for Submissions of Instructional Materials

A CD-ROM, contact form, and instructions will be supplied to each requesting publisher participating in the 2004 Health Primary Adoption.

4. Sampling Guidelines and Procedures

Upon receipt and review of the submission CD-ROM from each publisher, the Department will request samples of programs accepted for evaluation.

a. Sampling Procedures

After receipt of the submission information, the Department will distribute the following to participating publishers:

- (1) List of items accepted for review with identification numbers.
- (2) Sample packaging, distribution, and receipt deadline instructions.
- (3) List of addresses for the initial distribution of samples. Up to 80 sets may be required to be distributed.

b. Distribution of Samples

- (1) All samples shall be shipped by publishers to all designated destinations free of charge. No shipping, handling, sample, or other costs may be charged to the State Board or its members, the Curriculum Commission or its members, the Department or its personnel, the LRDCs or their personnel, or members of the IMAPs or CRPs.
- (2) It is the responsibility of publishers to ensure that materials are delivered to, and off-loaded at, the designated address within the specified time period. Publishers are to instruct delivery agents not to leave materials on loading docks unless so authorized.
- (3) Publishers are required to label all items sampled to the LRDCs and reviewers. The LRDCs use the information on the label to display materials in proper order and to identify easily where items are to be appropriately shelved (or otherwise stored) after temporary removal for review.

Labels should be placed in easily visible locations (e.g., bottom of the back of a book, next to the spine). Please do not place labels on shipping packages, shrink-wrap, or other items that may be discarded. It is not necessary to label any item that is a component of another item.

An example of an appropriate label to be affixed to an item is shown below:

Sequence Code No.	00030
Subject:	Health
Publisher Name:	ABC Publishing
Series Title:	ABC Health
Grade Level:	7
Item Title:	Student Edition
Copyright:	2003

- (4) Publishers must include a short narrative description of each program submitted and the purpose of program components. This narrative description shall not exceed six pages, single spaced, and shall explain how the program works for its clients (e.g., teachers, students, and/or parents/guardians). This information will be used to better understand the program as well as assist in the appropriate display. **In addition, publishers shall provide a list of all the components in a submitted program. Please place the program name and grade level(s) on each box.**

- (5) All samples, Grade-Level Emphases Maps, and program descriptions shall be received by the designated recipients on or before 5:00 p.m. (PST), April 13, 2004. The Department will notify all publishers of the designated recipients for samples in a bulletin that will be sent after the February 27, 2004, deadline for receipt of program submission information.
- (6) It is the responsibility of each publisher to retrieve from the LRDCs all samples of programs not added to a list of instructional materials adopted by the State Board. Publishers may retrieve their nonadopted instructional materials samples from the LRDCs for a period of 30 days after the State Board's decision. All programs are to be retrieved by publishers without any cost to the LRDCs or their personnel. Publishers shall supply, at no cost, any packing materials necessary for the return of requested materials. Instructional materials not retrieved within the 30-day period will be disposed of or donated for educational use. The samples provided to members of the State Board, Curriculum Commission, IMAPs, and CRPs, as well as to Department personnel, may be (a) offered back to the publishers; (b) retained by the members; or (c) donated by the members provided that the donated samples be used to benefit public education in California.

c. Sample Requirements

- (1) All samples must be in final form (i.e., a form that will be offered for purchase over the period of adoption), unless a written request to submit samples in less-than-final format is submitted to the CFIR Division by March 19, 2004, and permission has been obtained from the CFIR Division before the samples are shipped.

The CFIR Division may permit submission of materials in less-than-final format provided that all written text (in manuscript form), audio recordings (or manuscript of text that will be read on audio recordings), and visual images are provided as they will appear in the materials' final form. The materials submitted must have all the content and illustrations in place. The artwork may be in black and white instead of color, but all illustrations must appear as they will in the finished product. The materials must have approximately the same size pages as the final product, and the pages must be numbered as they will appear in the final product.

- (2) A separate International Standard Book Number (ISBN) facilitates the identification of each program or separate component satisfying the ISBN evaluation criteria. For information regarding assignment and use of ISBNs, contact:

U.S. ISBN Agency
630 Central Avenue
New Providence, NJ 07974
Tel: 877-310-7333
Fax: 908-219-0188
isbn-san@bowker.com

Programs or separate program components that do not meet ISBN evaluation criteria and/or have not been assigned ISBNs should be identified by some other unique number/letter combination. Publishers are asked to limit this identifier to no more than 13 characters.

- (3) If an item is available in more than one format (e.g., hard-cover and soft-cover books, videotapes and videodisks, computer software for different operating systems), it is not necessary to initially provide more than one format as a sample. Due to space limitations, LRDCs may be unable to display more than one format. If alternate formats are subsequently included on the list of adopted instructional materials under the 2004 Health Primary Adoption, one copy of those adopted alternate formats must then be supplied to any requesting LRDC. A specific request to sample one format over another may be made by the Department at the time sampling instructions are issued.
- (4) **Publishers of instructional materials may be asked to supply software or equipment that will be needed to view or otherwise use the materials if that software or equipment is not available at the LRDCs.**

In addition, publishers who submit technology-based programs or programs with technology-based components must provide a hard copy of all print and pictures contained in the programs if requested. The Department will provide reasonable advance notice.

The following guidelines will be used when requesting publishers to supply software or equipment:

- (a) A maximum of 12 units of standard items, such as videocassette players, personal computers (depending on the nature of the submission), necessary software, CD/DVD players, and monitors.
 - (b) A maximum of 26 units of nonstandard items that are not widely available.
- (5) After the final date for delivery of samples, changes or modifications made to instructional materials by the publisher during the review period shall result in disqualification of the instructional materials from consideration in the 2004 Health Primary Adoption, unless the changes or modifications are made pursuant to the State Board's direction regarding content or legal compliance reviews.
- (6) Samples of instructional materials adopted by the State Board must be available at LRDCs for a minimum of two years from the deadline for receipt of samples as specified in the Schedule of Significant Events.
- (7) Additional samples of adopted materials may be requested for LRDCs, but the total number of samples requested throughout the 2004 Health Primary Adoption shall not exceed 80 copies.

d. Shipment Verification

Shortly after sample receipt deadlines, the Department shall conduct an inventory of instructional materials received at the LRDCs and by IMAP/CRP members. Publishers will be notified of missing components and will be required to complete shipments.

Major sample distribution errors or failure to respond on a timely basis to the Department's sampling requirements or the Department's request for corrective shipments may result in disqualification of a submission.

e. Sampling Options

Publishers may submit samples of all components or request approval for use of an alternate sampling plan [see **Attachment D**]. These alternate sampling plan requests are due in the CFIR Division no later than 5:00 p.m. (PST) on February 27, 2004. When selecting sampling options, publishers must ensure that IMAP and CRP members will have sufficient samples to evaluate the program in its entirety.

5. Withdrawal from the 2004 Health Primary Adoption

Publishers are discouraged from withdrawing their instructional materials from the 2004 Health Primary Adoption after the materials have been submitted. Any such withdrawal of submissions will be noted in the Curriculum Commission's report to the State Board and may be noted in any final action report prepared by the State Board. Requests to withdraw materials or full programs from the adoption process must be made in writing to Thomas Adams, Director of the CFIR Division, by 5:00 p.m. (PST) on July 8, 2004.

6. Analysis of Submissions in Relation to Requirements of Statute and Regulations and the Evaluation Criteria

As a condition of participation in the 2004 Health Primary Adoption, publishers are required to return, by April 13, 2004, a completed version of the Grade-Level Emphases Maps for their submitted program. This form, a blank version of which is available on the CFIR Web site at <www.cde.ca.gov/ci/cr/cf/> and as Attachment B of this *Publishers' Invitation to Submit*, must be completed by publishers with citations showing where their program meets the criteria outlined in the Grade-Level Emphases Maps. Instructions for completing the form are attached to this document. Failure to return the completed Grade-Level Emphases Map form by the specified deadline shall result in the submission's disqualification. **The completed Grade-Level Emphases Map form shall be submitted on a CD-ROM and in hard copy.** For compelling reasons beyond the publisher's control (e.g., natural disaster), the specified deadline may be extended on a case-by-case basis with the written permission of the Department.

B. Evaluation of Instructional Materials Submissions

1. Legal Compliance Review

- a.** Instructional materials submitted under the 2004 Health Primary Adoption shall be reviewed for legal compliance in accordance with *Education Code*

Sections 60040, 60041, 60042, 60044, 60048, 60200, and 60200.2, and the publication titled *Standards for Evaluating Instructional Materials for Social Content* (2000 edition). Publishers are notified of the results of the legal compliance review. If an item is found to be out of compliance, the publisher has three options:

(1) *The item may be revised to bring it into compliance.* If a publisher chooses to revise the submission to bring it into compliance, the publisher shall notify the Department in writing of the proposed revision(s) within 30 days from the postmark date of the Department's written notification of noncompliance. Any proposed revision(s) must be approved by the Department, the Curriculum Commission (first-level appeal), or the State Board (second-level appeal). A finished copy of any revised instructional materials is due at the Department by February 9, 2005. The CFIR Division must be notified as to how the revised instructional materials are to be distinguished from the original version (e.g., a new ISBN number may be assigned). Failure to bring items into compliance will result in disqualification of the materials and, if already added to a list of adopted instructional materials, revocation of the item's adoption status.

(2) *The finding of noncompliance may be appealed.* If a publisher chooses to appeal a citation of noncompliance, the publisher shall notify the Department in writing of the intent to appeal within 30 days from the postmark date of the Department's written notification of noncompliance. The appeal shall be limited to consideration of citations of noncompliance identified during the initial legal compliance review.

If the first-level appeal upholds the finding of noncompliance and the publisher intends to make a second-level appeal to the State Board, the publisher shall notify the Chair of the Curriculum Commission of the intent to appeal within ten days following the postmark date of the Curriculum Commission's written decision to uphold the finding of noncompliance. A second-level appeal to the State Board shall be limited to consideration of revisions or issues raised during the first-level appeal.

(3) *The item may be declared noncompliant and disqualified.* The publisher may choose not to take any action and, thereby, allow the program to be declared noncompliant and disqualified from inclusion on the list of adopted materials. Once an item has been eliminated for this reason, the Curriculum Commission will be so notified.

- b. All materials submitted for consideration for adoption as part of the 2004 Health Primary Adoption will undergo a legal compliance review as part of the adoption process, even if those materials have been previously placed on the legal compliance list. Even if materials have been already approved for legal compliance, more citations may be issued as part of this review, which publishers will have to address as discussed in section a. above.
- c. If an item is not added to the list of adopted instructional materials under the 2004 Health Primary Adoption but has been approved for legal compliance, the Department will place the item in the approved Legal Compliance

Catalogue. **Publishers must clearly represent such items as “approved for legal compliance” or “approved for social content compliance” but not as “state approved,” “state adopted,” or any other term or phrase implying that the item has been approved or adopted by the State Board, Curriculum Commission, Department, or other agency of the State of California. Misrepresentation may result in deletion of the affected item from the list of materials approved for legal compliance.**

2. Content Review Panel and Instructional Materials Advisory Panel Reviews

An important activity in the California adoption process is the education content review process. 5 CCR Section 9516 governs the selection of members for this review process. This review process involves the participation of task force members referred to as Content Review Panel (CRP) and Instructional Materials Advisory Panel (IMAP) members. The CRPs consist of subject matter experts who review the submitted instructional materials for accuracy, adequate coverage, current and confirmed research, and alignment with the Grade-Level Emphases Maps. The IMAPs review the instructional materials for content accuracy, evaluation criteria as adopted by the State Board, and alignment with the Grade-Level Emphases Maps. The CRPs and IMAPs provide the Curriculum Commission with their joint report of findings and recommendations on the submitted instructional materials.

CRP and IMAP training will take place April 6 to 9, 2004, on the review process used to evaluate the submitted instructional materials. Panel members will be given a “note taking and report writing guide” to assist them in their independent reviews during the months of April, May, and June.

CRPs and IMAPs will reconvene July 19 to 23, 2004, for deliberations and to prepare a joint advisory report of findings on each submission and a consensus recommendation to the Curriculum Commission.

All these meetings are open to the public. Publishers are given a formal opportunity to present their program to the review panel during the training session. Publishers also have an opportunity to participate in a formal question-and-answer session during deliberations to clarify issues and to provide additional information on their program. The IMAP and CRP joint advisory report of findings for each program reviewed will be made available to each respective publisher after the joint advisory report of findings has been approved and signed by each participating panelist.

3. Contact with CRP and IMAP Members

Publishers shall not contact CRP or IMAP members to discuss anything related to the evaluation of the submissions or the potential inclusion of submissions on the list of adopted instructional materials. The exceptions are during the specified times in the Schedule of Significant Events (training and deliberations), when contact shall be made in the prescribed manner. CRP and IMAP members are required to report any inappropriate contact to the Department. Such inappropriate contact may lead to disqualification of a publisher’s submission(s) from further

consideration in the 2004 Health Primary Adoption, legal action, or both. However, publishers may continue to contact those IMAP and CRP members with whom they have meetings in the normal course of the members' school district, county office of education, or local school board duties. CRP and IMAP members shall not discuss any submission(s) under consideration with publishers.

At no time before or after the final action by the State Board shall publishers publicize in any marketing of instructional materials any part of the draft or final joint report of findings of the IMAP and CRP, the Curriculum Commission reports, or the State Board Adoption Report. This restriction includes publicizing other publishers' IMAP and CRP joint advisory report of findings, Curriculum Commission reports, or State Board Adoption Report. Such action may be reported to the State Board and may result in the program being removed from the adopted list.

C. Price Quotation Submissions

The Department shall distribute to participating publishers preprinted "Price Quotation on Instructional Materials" forms [see **Attachment F**]. These documents are used to (1) submit initial prices for new materials being considered for inclusion on the list of adopted instructional materials; and (2) submit biennial price adjustments for adopted materials. **All price adjustment submissions must be in compliance with *Education Code* Sections 60061 and 60223.**

On or before 5:00 p.m. (PST), June 10, 2004, publishers shall submit to the Department price quotations for the sale of completed instructional materials, including all transportation costs. The rate submitted is to reflect both the price of the instructional materials and the prepaid freight to any ordering point (e.g., district office) in California.

The prices submitted by publishers on "Price Quotation on Instructional Materials" forms will be in effect until June 30, 2007. Beyond this date, any changes made will remain in effect for a two-year period. **Prices may not be increased after the final filing date of the price quotation forms until the next scheduled biennial price update; however, it is the publisher's responsibility to notify the Department immediately of any item price reductions.**

D. Curriculum Commission Report and Recommendations

The Curriculum Commission shall review the IMAP and CRP joint report of findings, and the Curriculum Commission shall hold public hearings in accordance with the Schedule of Significant Events. Based on the information received, the Curriculum Commission shall prepare recommendations on the instructional materials submitted under the 2004 Health Primary Adoption. The Curriculum Commission shall prepare a report to the State Board to take action to adopt or reject each submitted program.

E. State Board Action

Following a public hearing on the Curriculum Commission's recommendations, taking into account the totality of the information it receives, the State Board shall take final action to adopt or to reject each submission. The 2004 Health Primary Adoption list will be valid through June 30, 2013. The Department shall notify participating publishers of the State Board's actions. With regard to submissions included on the list of adopted instructional materials, the Department may request the submission of additional samples, up to the maximum total of 80 complete sets of the program.

The State of California shall have the right to transcribe, reproduce, and distribute any submissions included on the list of adopted instructional materials under the 2004 Health Primary Adoption in braille, large print, recordings, or other accessible media for use by pupils with disabilities. This right shall include computer diskette/CD-ROM versions of print materials if made available to any other state and those corrections and revisions as may be necessary (see *Education Code* Sections 60061(g), 60312, and 60313). For further information regarding specialized media, contact Rod Brawley of the Clearinghouse for Specialized Media and Technology, 1430 N Street, Room 3207, Sacramento, California, 95814; telephone (916) 445-5103.

IV. Ordering and Distribution Process

A. Local Educational Agency Orders

Orders for state-adopted instructional materials purchased with local funds are placed directly with publishers. Districts may begin placing orders for newly adopted instructional materials any time after they have been adopted. Publishers should note that *Education Code* Sections 60071–60073 prohibit publishers from offering local school officials any emolument, money, or valuable thing as inducement for school officials directly or indirectly to influence the adoption or purchase of any instructional materials.

With respect to the purchase of instructional materials by a local educational agency, publishers shall comply with the following requirements:

1. The Provisions of *Education Code* Sections 60061 and 60061.5

Education Code Sections 60061 and 60061.5 place a number of duties on publishers of instructional materials. All of these duties must be fulfilled. One of the duties—the providing of materials free of charge in this state to the same extent as that received by any state or school district in the United States—has been the source of some misunderstanding and has been clarified in 5 *CCR*, Section 9527, the provisions of which are summarized in the following paragraph.

State law requires that if a publisher is providing gratis items to school districts in other states, they must provide those gratis items to the same extent in California school districts [*Education Code* Section 60061(a)(3)]. Elementary and middle school districts are authorized under law to collect three times the total value of the instructional materials and services that the governing board is entitled to receive free of charge under subdivision (a) of *Education Code* Section 60061 if the publisher violates this provision.

If materials are provided free of charge, publishers must notify the CFIR Division in writing within 30 working days of the effective date of the offer so that all school districts may have the opportunity to order these materials. Publishers are responsible for notifying districts of their free offerings. Failure or refusal by a publisher to inform the Department within this period shall constitute a rebuttable presumption that the violation of *Education Code* Section 60061 was willful. Free materials that are not on the state adoption list must comply with the requirements of *Education Code* Sections 60040–60048, 60200, and 60200.2 and the publication titled *Standards for Evaluating Instructional Materials for Social Content* (2000 edition) available on the CFIR Web site <www.cde.ca.gov/ci/cr/cf/>.

2. Quality of Workmanship

Instructional materials furnished and delivered to local educational agencies by publishers shall conform to and be of at least the same quality of workmanship as the samples of the respective instructional materials submitted to the Department except that the instructional materials shall also include all revisions, corrections,

additions, and substitutions required by the State Board and be offered for sale at the price quoted.

3. Manufacturing Standards and Specifications

Upon the request of any local educational agency, a publisher shall provide a copy of any manufacturing standards and specifications for the instructional materials with which the publisher is currently in compliance.

4. Discontinuation of Instructional Materials

Discontinuation of instructional materials before June 30, 2013, the expiration date of materials adopted under the 2004 Health Primary Adoption, may cause a hardship on local educational agencies by limiting their ability to order additional copies or to reorder components necessary for the use of the programs. Should a publisher stop supplying an instructional materials program (in whole or in part) before its adoption expiration date without having received prior written permission to do so from the local educational agencies that purchased the program, the publisher shall buy back all copies of the affected program purchased by each local educational agency to which the publisher did not provide prior written permission. **The buyback shall occur at the request of an affected local educational agency, and the buyback price shall be that in effect pursuant to the purchase order or agreement at the time the program (in whole or in part) is discontinued.** With the written consent of the Department, a publisher may discontinue instructional materials for which no orders have been placed in the preceding two years.

B. Delivery of Instructional Materials

Publishers of programs adopted under the 2004 Health Primary Adoption must deliver ordered materials within 60 days following receipt of a purchase order. The failure of a publisher to perform under the terms of any purchase order or agreement disrupts and delays the educational process in a local educational agency and causes loss and damage to affected schools, their students, and the public interest. Failure includes (1) late delivery or non-delivery of instructional materials; (2) discontinuation of instructional materials without prior approval, as discussed above; and (3) delivery of unauthorized instructional materials.² It is difficult to assess and fix the actual damages incurred due to the failure of a publisher to perform under the terms of a purchase order or agreement. Therefore, publishers shall comply with any of the following requirements made by local educational agencies (with respect to failures to perform) as compensating or liquidating damages, but not as penalties:

1. Delivery of Unauthorized Instructional Materials

Should the publisher or producer deliver unauthorized instructional materials to a local educational agency, on written notice from the agency, the publisher shall comply with the following requirements:

² For the purposes of this section, unauthorized instructional materials are those that do not appear in the exact description and terms in the purchase order or that have not been approved for delivery to California schools in written notice to the publisher from the State Board or Department.

- a. Withdraw the delivered unauthorized instructional materials from the local educational agency.
- b. Replace the unauthorized instructional materials with authorized instructional materials that are comparable in subject matter content, quality, quantity, and price in the California schools.
- c. Incur all costs of transportation or any other costs involved to complete the transactions of withdrawing and replacing unauthorized instructional materials.
- d. Complete the transactions of withdrawing unauthorized instructional materials and replacing them in the local educational agency with comparable authorized instructional materials within 60 calendar days of the receipt of written notice from the agency.

2. Late Delivery or Nondelivery

Should the publisher fail to deliver instructional materials within 60 days of the receipt of a purchase order from the local educational agency, and no prior written approval had been issued by the agency for such a delay in delivery, which approval shall not be unreasonably withheld, the agency may assess as damages an amount up to five hundred dollars (**\$500.00**) for each working day the order is delayed beyond **60 calendar days**. If late delivery results from circumstances beyond the control of the publisher, the publisher shall not be held liable. Pursuant to this section, the maximum dollar amount that shall be assessed against the publisher on any individual purchase order shall be twenty thousand dollars (**\$20,000.00**). Should the local educational agency take such action, the agency shall give the publisher written notification of the delivery delay and the date on which the accrual of dollar amounts to be assessed against the publisher shall commence.

V. Additional Information Relating to Instructional Materials

A. Petition Process for Nonadopted Instructional Materials

The State Board of Education has the authority to adopt policies and procedures for granting waivers and/or petitions regarding the new Instructional Materials Funding Realignment Program. For more information on the waiver process, please visit [<http://www.cde.ca.gov/re/lr/wr/>](http://www.cde.ca.gov/re/lr/wr/).

For more information about the conditions and limitations on local funding for instructional materials, please contact the CFIR Division or visit [<http://www.cde.ca.gov/ci/cr/cf/>](http://www.cde.ca.gov/ci/cr/cf/).

B. Alternate Formats Developed Subsequent to the Adoption of Instructional Materials

The 5 CCR, Section 9528, allows publishers and manufacturers to submit alternate formats of adopted instructional materials to the Department for approval at any time during the period of adoption. Alternate formats are (1) instructional materials which are identical in content to adopted instructional materials but are different in physical format; or (2) translations or literature that is equivalent in content to adopted instructional materials.

Alternate formats submitted in languages other than English may be submitted at any time following the adoption of the English edition. All alternate format submissions in languages other than English will be reviewed for accuracy in translation and to determine whether the material is equivalent in content to the adopted materials prior to approval as an alternate format.

When requesting approval for an alternate format, publishers are to provide the CFIR Division with a copy of the newly developed alternate format materials. Alternate formats shall be given the same adoption termination date as the original formats. Alternate formats included with the initial submissions and price quotation will be included on the Price List and Order Form (PLOF) issued immediately after the completion of the State Board's action. Alternate formats developed after State Board action will be included, upon approval, on the online price list [<http://www.cde.ca.gov/ci/cr/cf/ap1/plsearch.asp>](http://www.cde.ca.gov/ci/cr/cf/ap1/plsearch.asp) and on updated price lists periodically distributed to districts.

An alternate format package may include free instructional materials that have not been adopted by the State Board, provided that:

1. The nonadopted free materials have passed a state review for legal compliance with the social content requirements.
2. The purchase price of the alternate format package shall not include any costs attributable to the nonadopted free instructional materials such as, but not limited to, development and production, correlation to the adopted materials, packaging and shipping costs.

3. The publisher or manufacturer includes with the submission a certification of compliance with the proviso in number 2 above.
4. The publisher includes in the alternate format package a statement that identifies any items which are free and which have not been adopted by the State Board. (5 CCR, Section 9528).

C. Price List and Order Form (PLOF) Distribution

All current state-adopted instructional materials are listed in the subject Price List and Order Forms (PLOFs) produced by the Department. The PLOFs for various subjects are maintained in a searchable database format on the Department Web site at <http://www.cde.ca.gov/ci/cr/cf/ap1/plsearch.asp>.

D. New Edition Substitutions

Upon written request by a publisher, the Department may approve a new edition of a component to replace the original edition on the list of instructional materials adopted by the State Board under the 2004 Health Primary Adoption provided that:

1. Changes contained in the new edition are so minimal that both the new edition and the old edition may be used together in a classroom environment. **No content changes or content additions are allowed; however, factual inaccuracies that have been identified by a publisher or the public and confirmed by the Department should be submitted for correction so that all content is accurate.** (Technical upgrades of computer software that do not contain educational or social content changes shall be exempt from this requirement).
2. The changes meet the legal compliance requirements of *Education Code* Sections 60040–60044, 60048, 60200, and 60200.2 and *Standards for Evaluating Instructional Materials for Social Content* (2000 edition).

The price of the original edition or a lower price shall apply until the next scheduled biennial price adjustment for that subject area.

When a publisher submits a request to substitute a newer edition of an adopted item, the Department will verify the suitability of the substitution. Once approved by the Department, the new edition will automatically be placed on the adoption list for the same adoption period as the original edition, and the original edition will be removed.

Unauthorized substitutions of state-adopted instructional materials are illegal and may subject the publisher’s program to removal from the adoption list. For more information, refer to Section IV of this document, “Ordering and Distribution Process.”

E. Publisher Responsibilities

Publishers shall comply with all applicable statutes and regulations, including, but not limited to, *Education Code* Section 60061, under which publishers shall:

1. Furnish the instructional materials offered by the publisher at a price in this state that, including all costs of transportation to that place, does not exceed the lowest price at which the publisher offers those instructional materials for adoption or sale to any state or school district in the United States.
2. Automatically reduce the price of those instructional materials to any governing board to the extent that reductions are made elsewhere in the United States.
3. Provide any instructional materials free of charge in this state to the same extent as that received by any state or school district in the United States.
4. Guarantee that all copies of any instructional materials sold in this state are at least equal in quality to the copies of those instructional materials that are sold elsewhere in the United States, and are kept revised, free from all errors, and up to date as may be required by the State Board.
5. Not in any way, directly or indirectly, become associated or connected with any combination in restraint of trade in instructional materials, or enter into any understanding, agreement, or combination to control prices or restrict competition in the sale of instructional materials for use in this state.
6. Maintain a representative, office, or depository in the State of California or arrange with an independently owned and operated depository in the State of California to receive and fill orders for instructional materials.
7. Provide to the state, at no cost, computer files or other electronic versions of each state-adopted literary title and the right to transcribe, reproduce, modify, and distribute the material in braille, large print if the publisher does not offer a large print edition, recordings, American Sign Language videos for the deaf, or other specialized accessible media exclusively for use by pupils with visual disabilities or other disabilities that prevent use of standard instructional materials. Computer files or other electronic versions of materials adopted shall be provided within 30 days of request by the state as needed for the purposes described in this subdivision as follows:
 - a. Computer files or other electronic versions of literary titles shall maintain the structural integrity of the standard instructional materials, be compatible with commonly used braille translation and speech synthesis software, and include corrections and revisions as may be necessary.
 - b. Computer files or other electronic versions of nonliterary titles, including science and mathematics, shall be provided when technology is available to convert those materials to a format that maintains the structural integrity of the standard instructional materials and is compatible with braille translation and speech synthesis software.

Upon the willful failure of the publisher or manufacturer to comply with the requirements of this section, the publisher or manufacturer shall be liable to the governing board in the amount of three times the total sum that the publisher or manufacturer was paid in excess of the price required under paragraphs (1), (2), and (5), and in the amount of three times the total value of the instructional materials and services that the governing board is entitled to receive free of charge.

F. Design Resources for Publishers

California Department of Education
<www.cde.ca.gov>

Curriculum Frameworks and Instructional Resources
<www.cde.ca.gov/ci/cr/cf/>

Clearinghouse for Specialized Media & Technology
<www.cde.ca.gov/re/pn/sm/>

Universal Design
<www.cast.org>

Video Captioning
<main.wgbh.org/wgbh/access/access.html>

Web Design
<www.w3.org>

Web Page Validation
<www.cast.org/bobby>

G. Gratis Items

In complying with an audit on the offering of gratis items in the state by the Bureau of State Audits, publishers whose programs are adopted will be required to maintain a Web site listing their gratis items. This information will assist local education agencies to access this information and to ensure the “most favored nation” clause in an equitable manner. The Web site will be maintained for the duration of the adoption list and can be revised with the written permission of the Department. A form will be provided by the CFIR Division for publishers to list their gratis items. This form will be sent to all adopted publishers in a bulletin after the Board takes final action on the adoption. The active Web site address must be submitted with any list of gratis items.

If at any time after material has been adopted, a publisher allows schools, districts, or county offices to substitute other free materials, services, grants, or credits for previously listed free materials or services, or additions are made to the original gratis listing submitted to the CFIR Division, the publisher is required to inform the CFIR Division within 30 days of the effective date of the changes to the listing.

Notification to districts and county offices of education of these gratis listings, and any subsequent changes, and/or additions, will be the responsibility of the publisher/producers of the adopted materials.

VI. Contacts for Questions

Publishers are invited to submit programs of instructional materials for the 2004 Health Primary Adoption. The schedule and guidelines specified in this document must be followed. Any questions relating to the 2004 Health Primary Adoption should be addressed to the CFIR Division:

California Department of Education
Curriculum Frameworks and Instructional Resources Division
Attn: Health Adoption Materials
1430 N Street, Room 3207
Sacramento, CA 95814
Telephone: (916) 319-0881

Thomas Adams, Division Director
Telephone: (916) 319-0663

Suzanne Rios, Administrator
Instructional Resources Unit
Telephone: (916) 319-0665

Susan Martimo, Publisher Liaison
Telephone: (916) 319-0446

ATTACHMENT A

Criteria for Evaluating Health Instructional Materials for Kindergarten through Grade Eight

(Chapter 6 of the *Health Framework for California Public Schools*)

**CRITERIA FOR EVALUATING HEALTH
INSTRUCTIONAL MATERIALS FOR KINDERGARTEN
THROUGH GRADE EIGHT**

(Adopted by the State Board of Education, March 6, 2002)

The criteria for evaluating the alignment of instructional materials with the content of the *Health Framework for California Public Schools, Kindergarten Through Grade Twelve* and evaluating the quality of those materials in the areas of grade-level emphases, curriculum content, program organization, assessment, universal access, and instructional planning and support are discussed in this section. These criteria will guide the development and govern the adoption in 2004 of instructional materials for kindergarten through grade eight. The criteria do not recommend nor require one particular pedagogical approach, nor does the numerical order of the criteria within each category imply relative importance. The criteria may also be used by publishers and local educational agencies as a guide for the development and selection of instructional materials for grades nine through twelve.

The criteria are organized into five categories:

1. **Health Content/Alignment with Curriculum:** The content as specified in the *Health Framework*
2. **Program Organization:** The sequence and organization of the health instructional materials
3. **Assessment:** The strategies presented in the instructional materials for measuring what students know and are able to do
4. **Universal Access:** The information and ideas that address the needs of special student populations, including students identified for special education, English learners, and advanced students
5. **Instructional Planning and Support:** The instructional planning and support information and materials, typically including a separate edition specially designed for use by the teacher, that assist teachers in the implementation of the health education program

Health materials must support teaching aligned with the *Health Framework*. Materials that fail to meet the health content criteria will not be considered satisfactory for adoption. Only programs that are determined to have met Criterion 1 will be further evaluated under Criteria 2 through 5.

In order to create focused health instructional materials, publishers are asked to concentrate on the content described in the *Health Framework*, especially in Chapter 3, "Health Education," and the Grade-Level Emphases Chart, as adopted by the State Board of Education in March 2002. The instructional materials must not contain extraneous content that is fundamentally contrary to the *Health Framework* and detracts from the ability of teachers to teach readily and students to learn thoroughly the content specified by the *Health Framework*.

Criterion 1: Health Content/Alignment with Curriculum

Instructional materials support the teaching and learning of the skills and knowledge called for at the specific grade levels as outlined in the *Health Framework*, including the emphases

designated in the Grade-Level Emphases Chart. Materials are fully aligned with the framework content. Materials must be scientifically and medically accurate, must be based on current and confirmed research, and must enable students to develop goals of lifelong positive health behaviors and attitudes. Materials must meet all criteria. Materials with a glaring weakness or significant omission are not worthy of adoption. Programs with inaccuracies or errors that hinder the teaching of health content will not be considered for adoption. To be considered suitable for adoption, health instructional materials must provide:

1. Evidence and appropriate references, with page numbers, that demonstrate alignment with the Grade-Level Emphases Chart and content found in Chapter 3
2. Support of all content, as specified at each grade level, by topics, concepts, lessons, activities, examples, and/or illustrations, as appropriate
3. Integration and coordination with the eight components of coordinated school health¹ and support of the four unifying ideas of coordinated school health²
4. Accurate content to support health instruction as outlined in the *Health Framework* and in pertinent *Education Code* sections
5. Interesting and engaging health content that provides students with methods of evaluating the accuracy of health information claims through the use of scientific criteria and, when appropriate to the grade level, explains how to apply information to assess health-related behaviors
6. Medical and health vocabulary used appropriately and defined accurately.
7. Scientifically and medically accurate content that reflects current practices in use or recommended by health professionals
8. Direct instruction and activities that focus on students improving and demonstrating proficiency in the topics noted in the Grade-Level Emphases Chart
9. Instruction that is appropriate to the grade level and develops health literacy (Health literacy is the capacity of an individual to obtain, interpret, and understand basic health information and services and the competence to use such information and services in ways that assist in maintaining and enhancing health.)
10. When appropriate, opportunities for students to increase their knowledge and understanding of health while reinforcing the skills and knowledge called for in the physical education, reading/language arts, mathematics, science, history-social science, and visual and performing arts curriculum frameworks
11. When appropriate, opportunities for students to evaluate the accuracy of health-related information and to seek reputable resources and information
12. When called for by the Grade-Level Emphases Chart, introduction or review of topics that are emphasized at another grade level

¹ Health Education; Physical Education; Health Services; Nutrition Services; Psychological and Counseling Services; Health Promotion for Staff; Safe and Healthy School Environment; and Parent and Community Involvement (see Chapter 4, "Beyond Health Education").

² Acceptance of personal responsibility for lifelong health; Respect for and promotion of the health of others; An understanding of the process of growth and development; and Informed use of health-related information, products, and services (see Chapter 3, "Health Education"). Also important is reinforcing instruction on health behavior and health literacy through a collaborative effort by parents, the school, and the community.

13. Compliance with all relevant *Education Code* sections, including sections 233.5, 51201.5, 51240, 51513, 51550, and 51553-55

Materials being considered for adoption must meet Criterion I before being evaluated according to Criteria 2 through 5.

Criterion 2: Program Organization

The sequential organization of the health instructional materials provides structure for what students should learn at each grade level and allows teachers to convey the health content efficiently and effectively. The materials are well organized and presented in a manner that provides all students opportunities to acquire the essential knowledge and skills described in the *Health Framework*. Materials must designate which grade levels are being addressed. To be considered suitable for adoption, health instructional materials must provide:

1. Alignment with the *Health Framework*, introducing new knowledge and skills at a reasonable pace and depth of coverage and explicitly preparing students for later grade levels
2. Organization that provides a logical and coherent structure to facilitate efficient and effective teaching and learning within the lesson, unit, and grade level as described in the *Health Framework* and the Grade-Level Emphases Chart
3. Clearly stated student outcomes and goals that are measurable and are based on the framework
4. An overview of the content in each chapter or unit that designates how the lesson supports the *Health Framework*
5. A well-organized structure that provides students with the opportunity to learn the Grade-Level topics and build on knowledge and skills acquired at earlier grade levels
6. A variety of activities and texts that organize the Grade-Level content in a logical way so that students develop prerequisite skills and knowledge before they are introduced to the more complex concepts and understandings of the topic
7. Tables of contents, indexes, glossaries, content summaries, references, and assessment guides that are designed to help teachers, parents or guardians, and students use the materials

Criterion 3: Assessment

Assessment should measure what students know and are able to do. Instructional materials should contain multiple measures to assess student progress. Assessment measures should reveal students' knowledge and understanding of the health content. Assessment tools that publishers include as part of their instructional material should provide evidence of students' progress toward meeting the skills and knowledge identified in the Grade-Level Emphases Chart. Assessment tools should provide information that teachers can use in planning and modifying instruction to help all students. To be considered suitable for adoption, health instructional materials must provide:

1. Strategies or instruments that teachers can use to determine students' prior knowledge

2. Multiple measures of individual student progress at regular intervals to evaluate attainment of Grade-Level knowledge, understanding, and ability to independently apply health concepts, principles, theories, and skills and to evaluate students' abilities to evaluate the accuracy of health-related information and to seek reputable resources and information
3. Guiding questions for monitoring student comprehension
4. Assessments that students can use to evaluate and improve the quality of their own work
5. Formative, summative, and cumulative assessments to evaluate students' work

Criterion 4: Universal Access

Instructional materials should provide access to the curriculum for all students, including those with special needs: English learners, advanced learners, students with learning difficulties, special education students, and other students with special needs. Materials must conform to the policies of the State Board of Education as well as to other applicable state and federal guidelines pertaining to diverse populations and students with special needs. To be considered suitable for adoption, health instructional materials must provide:

1. Suggestions based on current and confirmed research for adapting the curriculum and the instruction to meet students' assessed special needs
2. Strategies to help students who are below grade level in reading, writing, speaking, and listening in English to understand the health content
3. Suggestions for advanced learners that are tied to the *Health Framework* and that allow students to study content in greater depth

Criterion 5: Instructional Planning and Support

Support materials for teachers should be built into the instructional materials and should specify suggestions for and illustrate examples of how teachers can implement the *Health Framework* in a way that ensures an opportunity for all students to learn the essential skills and knowledge called for in the *Health Framework*, including health literacy. These criteria do not recommend or require a particular pedagogical approach. Publishers should make recommendations to teachers regarding instructional approaches that fit the instructional goals. Materials should provide teachers with a variety of instructional approaches. To be considered suitable for adoption, planning and support resources must provide:

1. Clearly written and accurate explanations of health content, with suggestions for connecting health concepts with other areas of the curriculum
2. Strategies for addressing and correcting common misconceptions about health topics
3. A variety of pedagogical strategies
4. Lesson plans, suggestions for organizing resources in the classroom, and ideas for pacing lessons
5. Support for or access to confirmed, research-based programs
6. A list of materials, educational resources, and tools that align with the recommendations in the *Health Framework*

7. Suggestions and information for teachers to locate, interpret, convey, and apply medically and scientifically accurate content and current, confirmed research
8. Suggestions for how to use student assessment data within the program for instructional planning purposes
9. Technical support and suggestions for appropriate use of audiovisual, multimedia, and information technology resources associated with a unit
10. Suggestions for linking the classroom with reputable community resources in a manner consistent with state laws and school policies
11. Suggestions for activities and strategies for informing parents or guardians about the health program and creating connections among students, parents, guardians, and the community
12. References and resources to guide teachers' further study of health topics and suggestions
13. Demonstration of electronic resources (videos, DVDs, CDs) depicting appropriate teaching techniques and offering suggestions for teachers
14. Homework assignments that support classroom learning, give clear directions, and provide practice and reinforcement for the skills taught in the classroom
15. Suggestions for encouraging students to study content in greater depth
16. In the teacher's edition, ample and useful annotations and suggestions for presenting the content of the student edition and ancillary materials

ATTACHMENT B

Grade-level Emphases Maps

Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Kindergarten

EXPECTATION 1: STUDENTS WILL DEMONSTRATE WAYS IN WHICH THEY CAN ENHANCE AND MAINTAIN THEIR HEALTH AND WELL-BEING.

Grade K	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Human Body

▲ Practice good personal hygiene.					
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Food Choices

Make healthy food choices.					
Group foods in many different ways.					
▲ Prepare and try a variety of healthy foods.					

Physical Activity

▲ Participate regularly in active play and enjoyable physical activities.					
▲ Observe safety rules during physical activities.					
Explore out-of-school play activities that promote fitness and health.					

Mental and Emotional Health

▲ Identify and share feelings in appropriate ways.					
▲ Avoid self-destructive behaviors and practice self-control.					
Develop and use effective coping strategies.					
Demonstrate personal characteristics that contribute to self-confidence and self-esteem.					
Develop protective factors that help foster resiliency.					
Develop and use effective communication skills.					

EXPECTATION 2: STUDENTS WILL UNDERSTAND AND DEMONSTRATE BEHAVIORS THAT PREVENT DISEASE AND SPEED RECOVERY FROM ILLNESS.

Grade K	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Disease Prevention

Practice positive health behaviors to reduce the risk of disease.					
Prepare food as a way of learning about sanitary food preparation and storage.					
Cooperate in regular health screenings.					

Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Kindergarten

Treatment of Disease

▲ Take medicines properly under the direction of parents or health-care providers.					
▲ Recognize symptoms of common illnesses.					

EXPECTATION 3: STUDENTS WILL PRACTICE BEHAVIORS THAT REDUCE THE RISKS OF BECOMING INVOLVED IN POTENTIALLY DANGEROUS SITUATIONS AND REACT TO POTENTIALLY DANGEROUS SITUATIONS IN WAYS THAT HELP TO PROTECT THEIR HEALTH.

Grade K	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Potentially Dangerous Situations

▲ Practice safe behavior in or near motorized vehicles.					
▲ Practice safe behavior in or near water.					
▲ Interact safely with strangers.					
Develop and use skills to avoid, resolve, and cope with conflicts.					
Report or obtain assistance when faced with unsafe situations.					
▲ Practice behaviors that help prevent poisonings.					

Alcohol, Tobacco, and Other Drugs

Distinguish between helpful and harmful substances.					
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Child Abuse, Including Sexual Exploitation

▲ Develop and use communication skills to tell others when touching is unwanted.					
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Emergencies

▲ Recognize emergencies and respond appropriately.					
▲ Practice appropriate behaviors during fire drills, earthquake drills, and other disaster drills.					

Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Kindergarten

EXPECTATION 4: STUDENTS WILL UNDERSTAND AND DEMONSTRATE HOW TO PLAY A POSITIVE, ACTIVE ROLE IN PROMOTING THE HEALTH OF THEIR FAMILIES.

Grade K	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Roles of Family Members

▲ Develop and use effective communication skills.					
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Change Within the Family

Identify feelings related to changes within the family.					
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EXPECTATION 5: STUDENTS WILL UNDERSTAND AND DEMONSTRATE HOW TO PROMOTE POSITIVE HEALTH PRACTICES WITHIN THE SCHOOL AND COMMUNITY, INCLUDING HOW TO CULTIVATE POSITIVE RELATIONSHIPS WITH PEERS.

Grade K	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Friendship and Peer Relationships

▲ Know and use appropriate ways to make new friends.					
▲ Demonstrate acceptable actions toward others.					
▲ Demonstrate positive ways to show or express feelings.					
▲ Resolve conflicts in a positive, constructive way.					
▲ Demonstrate acceptable methods of gaining attention.					

School and Community-Based Efforts to Promote and Protect Health

▲ Understand and follow school rules related to health.					
Participate in school efforts to promote health.					
Assume responsibility for helping to take care of the school.					

Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Kindergarten

EXPECTATION 6: STUDENTS WILL UNDERSTAND THE VARIETY OF PHYSICAL, MENTAL, EMOTIONAL, AND SOCIAL CHANGES THAT OCCUR THROUGHOUT LIFE.

Grade K	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Life Cycle

Describe the cycle of growth and development in humans and other animal species.					
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EXPECTATION 7: STUDENTS WILL UNDERSTAND AND ACCEPT INDIVIDUAL DIFFERENCES IN GROWTH AND DEVELOPMENT.

Grade K	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Growth and Development

Demonstrate an understanding of individual differences.					
▲ Adapt group activities to include a variety of individuals.					

EXPECTATION 8: STUDENTS WILL IDENTIFY INFORMATION, PRODUCTS, AND SERVICES THAT MAY BE HELPFUL OR HARMFUL TO THEIR HEALTH.

Grade K	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Products and Services

▲ Identify health care workers.					
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Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade One

EXPECTATION 1: STUDENTS WILL DEMONSTRATE WAYS IN WHICH THEY CAN ENHANCE AND MAINTAIN THEIR HEALTH AND WELL-BEING.

Grade 1	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Human Body

▲ Practice good personal hygiene.					
▲ Use protective equipment or practice protective behaviors.					

Food Choices

Make healthy food choices.					
▲ Group foods in many different ways.					
▲ Prepare and try a variety of healthy foods.					

Physical Activity

▲ Participate regularly in active play and enjoyable physical activities.					
▲ Observe safety rules during physical activities.					
Explore out-of-school play activities that promote fitness and health.					

Mental and Emotional Health

▲ Identify and share feelings in appropriate ways.					
▲ Avoid self-destructive behaviors and practice self-control.					
Develop and use effective coping strategies.					
▲ Demonstrate personal characteristics that contribute to self-confidence and self-esteem.					
Develop protective factors that help foster resiliency.					
Develop and use effective communication skills.					

Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade One

EXPECTATION 2: STUDENTS WILL UNDERSTAND AND DEMONSTRATE BEHAVIORS THAT PREVENT DISEASE AND SPEED RECOVERY FROM ILLNESS.

Grade 1	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation		IMAP/CRP Notes
				Yes	No	

Disease Prevention

Practice positive health behaviors to reduce the risk of disease.						
Prepare food as a way of learning about sanitary food preparation and storage.						
Cooperate in regular health screenings.						

Treatment of Disease

Take medicines properly under the direction of parents or health-care providers.						
▲ Recognize symptoms of common illnesses.						

EXPECTATION 3: STUDENTS WILL PRACTICE BEHAVIORS THAT REDUCE THE RISKS OF BECOMING INVOLVED IN POTENTIALLY DANGEROUS SITUATIONS AND REACT TO POTENTIALLY DANGEROUS SITUATIONS IN WAYS THAT HELP TO PROTECT THEIR HEALTH.

Grade 1	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation		IMAP/CRP Notes
				Yes	No	

Potentially Dangerous Situations

Practice safe behavior in or near motorized vehicles.						
▲ Practice safe behavior in or near water.						
▲ Interact safely with strangers.						
Develop and use skills to avoid, resolve, and cope with conflicts.						
▲ Report or obtain assistance when faced with unsafe situations.						
▲ Practice behaviors that help prevent poisonings.						
Practice safe behavior in recreational activities.						

Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade One

EXPECTATION 3: CONTINUED...

Grade 1	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Alcohol, Tobacco, and Other Drugs

▲ Distinguish between helpful and harmful substances.					
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Child Abuse, Including Sexual Exploitation

▲ Develop and use communication skills to tell others when touching is unwanted.					
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Emergencies

▲ Recognize emergencies and respond appropriately.					
Practice appropriate behaviors during fire drills, earthquake drills, and other disaster drills.					

EXPECTATION 4: STUDENTS WILL UNDERSTAND AND DEMONSTRATE HOW TO PLAY A POSITIVE, ACTIVE ROLE IN PROMOTING THE HEALTH OF THEIR FAMILIES.

Grade 1	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Roles of Family Members

▲ Develop and use effective communication skills.					
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Change Within the Family

Identify feelings related to changes within the family.					
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Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade One

EXPECTATION 5: STUDENTS WILL UNDERSTAND AND DEMONSTRATE HOW TO PROMOTE POSITIVE HEALTH PRACTICES WITHIN THE SCHOOL AND COMMUNITY, INCLUDING HOW TO CULTIVATE POSITIVE RELATIONSHIPS WITH PEERS.

Grade 1	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Friendship and Peer Relationships

▲ Know and use appropriate ways to make new friends.					
▲ Demonstrate acceptable actions toward others.					
▲ Demonstrate positive ways to show or express feelings.					
▲ Resolve conflicts in a positive, constructive way.					
▲ Demonstrate acceptable methods of gaining attention.					

School and Community-Based Efforts to Promote and Protect Health

▲ Understand and follow school rules related to health.					
Participate in school efforts to promote health.					
Assume responsibility for helping to take care of the school.					

EXPECTATION 6: STUDENTS WILL UNDERSTAND THE VARIETY OF PHYSICAL, MENTAL, EMOTIONAL, AND SOCIAL CHANGES THAT OCCUR THROUGHOUT LIFE.

Grade 1	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Life Cycle

▲ Describe the cycle of growth and development in humans and other animal species.					
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Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade One

EXPECTATION 7: STUDENTS WILL UNDERSTAND AND ACCEPT INDIVIDUAL DIFFERENCES IN GROWTH AND DEVELOPMENT.

Grade 1	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Growth and Development

Demonstrate an understanding of individual differences.					
▲ Adapt group activities to include a variety of individuals.					

Mental and Emotional Development

Identify, express, and manage feelings appropriately.					
Develop and use effective communication skills.					

EXPECTATION 8: STUDENTS WILL IDENTIFY INFORMATION, PRODUCTS, AND SERVICES THAT MAY BE HELPFUL OR HARMFUL TO THEIR HEALTH.

Grade 1	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Products and Services

▲ Identify health care workers.					
Identify a variety of consumer influences and analyze how those influences affect decisions.					

Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Two

EXPECTATION 1: STUDENTS WILL DEMONSTRATE WAYS IN WHICH THEY CAN ENHANCE AND MAINTAIN THEIR HEALTH AND WELL-BEING.

Grade 2	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Human Body

Practice good personal hygiene.					
▲ Use protective equipment or practice protective behaviors.					

Food Choices

▲ Make healthy food choices.					
Group foods in many different ways.					
▲ Prepare and try a variety of healthy foods.					
Analyze influences on food choices.					

Physical Activity

▲ Participate regularly in active play and enjoyable physical activities.					
▲ Observe safety rules during physical activities.					
Explore out-of-school play activities that promote fitness and health.					

Mental and Emotional Health

▲ Identify and share feelings in appropriate ways.					
Avoid self-destructive behaviors and practice self-control.					
▲ Develop and use effective coping strategies.					
Demonstrate personal characteristics that contribute to self-confidence and self-esteem.					
Develop protective factors that help foster resiliency.					
▲ Develop and use effective communication skills.					

Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Two

EXPECTATION 2: STUDENTS WILL UNDERSTAND AND DEMONSTRATE BEHAVIORS THAT PREVENT DISEASE AND SPEED RECOVERY FROM ILLNESS.

Grade 2	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation		IMAP/CRP Notes
				Yes	No	

Disease Prevention

Practice positive health behaviors to reduce the risk of disease.						
Prepare food as a way of learning about sanitary food preparation and storage.						
Cooperate in regular health screenings.						

Treatment of Disease

Take medicines properly under the direction of parents or health-care providers.						
▲ Recognize symptoms of common illnesses.						

EXPECTATION 3: STUDENTS WILL PRACTICE BEHAVIORS THAT REDUCE THE RISKS OF BECOMING INVOLVED IN POTENTIALLY DANGEROUS SITUATIONS AND REACT TO POTENTIALLY DANGEROUS SITUATIONS IN WAYS THAT HELP TO PROTECT THEIR HEALTH.

Grade 2	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation		IMAP/CRP Notes
				Yes	No	

Potentially Dangerous Situations

▲ Practice safe behavior in or near motorized vehicles.						
Practice safe behavior in or near water.						
▲ Interact safely with strangers.						
Develop and use skills to avoid, resolve, and cope with conflicts.						
Report or obtain assistance when faced with unsafe situations.						
Practice behaviors that help prevent poisonings.						
Practice safe behavior in recreational activities.						

Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Two

EXPECTATION 3: CONTINUED...

Grade 2	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Alcohol, Tobacco, and Other Drugs

Distinguish between helpful and harmful substances.					
▲ Develop and use interpersonal and communication skills.					

Child Abuse, Including Sexual Exploitation

▲ Develop and use communication skills to tell others when touching is unwanted.					
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Emergencies

Recognize emergencies and respond appropriately.					
Practice appropriate behaviors during fire drills, earthquake drills, and other disaster drills.					

EXPECTATION 4: STUDENTS WILL UNDERSTAND AND DEMONSTRATE HOW TO PLAY A POSITIVE, ACTIVE ROLE IN PROMOTING THE HEALTH OF THEIR FAMILIES.

Grade 2	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Roles of Family Members

▲ Develop and use effective communication skills.					
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Change Within the Family

▲ Identify feelings related to changes within the family.					
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Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Two

EXPECTATION 5: STUDENTS WILL UNDERSTAND AND DEMONSTRATE HOW TO PROMOTE POSITIVE HEALTH PRACTICES WITHIN THE SCHOOL AND COMMUNITY, INCLUDING HOW TO CULTIVATE POSITIVE RELATIONSHIPS WITH PEERS.

Grade 2	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Friendship and Peer Relationships

▲ Know and use appropriate ways to make new friends.					
▲ Demonstrate acceptable actions toward others.					
▲ Demonstrate positive ways to show or express feelings.					
▲ Resolve conflicts in a positive, constructive way.					
▲ Demonstrate acceptable methods of gaining attention.					

School and Community-Based Efforts to Promote and Protect Health

▲ Understand and follow school rules related to health.					
Participate in school efforts to promote health.					
Assume responsibility for helping to take care of the school.					

EXPECTATION 6: STUDENTS WILL UNDERSTAND THE VARIETY OF PHYSICAL, MENTAL, EMOTIONAL, AND SOCIAL CHANGES THAT OCCUR THROUGHOUT LIFE.

Grade 2	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Life Cycle

▲ Describe the cycle of growth and development in humans and other animal species.					
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Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Two

EXPECTATION 7: STUDENTS WILL UNDERSTAND AND ACCEPT INDIVIDUAL DIFFERENCES IN GROWTH AND DEVELOPMENT.

Grade 2	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Growth and Development

Demonstrate an understanding of individual differences.					
▲ Adapt group activities to include a variety of students.					

Mental and Emotional Development

Identify, express, and manage feelings appropriately.					
Develop and use effective communication skills.					

EXPECTATION 8: STUDENTS WILL IDENTIFY INFORMATION, PRODUCTS, AND SERVICES THAT MAY BE HELPFUL OR HARMFUL TO THEIR HEALTH.

Grade 2	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Products and Services

▲ Identify a variety of consumer influences and analyze how those influences affect decisions.					
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Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Three

EXPECTATION 1: STUDENTS WILL DEMONSTRATE WAYS IN WHICH THEY CAN ENHANCE AND MAINTAIN THEIR HEALTH AND WELL-BEING.

Grade 3	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Human Body

Practice good personal hygiene.					
Use protective equipment or practice protective behaviors.					

Food Choices

▲ Make healthy food choices.					
▲ Group foods in many different ways.					
▲ Prepare and try a variety of healthy foods.					
▲ Analyze influences on food choices.					
▲ Establish and maintain healthy eating practices.					

Physical Activity

▲ Participate regularly in active play and enjoyable physical activities.					
▲ Observe safety rules during physical activities.					
Explore out-of-school play activities that promote fitness and health.					

Mental and Emotional Health

▲ Identify and share feelings in appropriate ways.					
Avoid self-destructive behaviors and practice self-control.					
▲ Develop and use effective coping strategies.					
Demonstrate personal characteristics that contribute to self-confidence and self-esteem.					
Develop protective factors that help foster resiliency.					
Develop and use effective communication skills.					

Publisher: _____
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2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Three

EXPECTATION 2: STUDENTS WILL UNDERSTAND AND DEMONSTRATE BEHAVIORS THAT PREVENT DISEASE AND SPEED RECOVERY FROM ILLNESS.

Grade 3	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation		IMAP/CRP Notes
				Yes	No	

Disease Prevention

▲ Practice positive health behaviors to reduce the risk of disease.						
▲ Prepare food as a way of learning about sanitary food preparation and storage.						
Cooperate in regular health screenings.						

Treatment of Disease

Take medicines properly under the direction of parents or health-care providers.						
▲ Recognize symptoms of common illnesses.						
Cooperate with parents and health-care providers in the treatment or management of disease.						

Publisher: _____
Program Title: _____
Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Three

**EXPECTATION 3: STUDENTS WILL PRACTICE BEHAVIORS THAT REDUCE THE RISKS OF BECOMING INVOLVED IN POTENTIALLY DANGEROUS SITUATIONS
AND REACT TO POTENTIALLY DANGEROUS SITUATIONS IN WAYS THAT HELP TO PROTECT THEIR HEALTH.**

Grade 3	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation		IMAP/CRP Notes
				Yes	No	

Potentially Dangerous Situations

Practice safe behavior in or near motorized vehicles.						
Practice safe behavior in or near water.						
▲ Interact safely with strangers.						
▲ Develop and use skills to avoid, resolve, and cope with conflicts.						
Report or obtain assistance when faced with unsafe situations.						
Practice behaviors that help prevent poisonings.						
Practice safe behavior in recreational activities.						
▲ Develop and use skills to identify, avoid, and cope with potentially dangerous situations.						

Alcohol, Tobacco, and Other Drugs

▲ Distinguish between helpful and harmful substances.						
Identify ways to cope with or seek assistance when confronted with situations involving alcohol, tobacco and other drugs.						
▲ Develop and use interpersonal and communication skills.						
▲ Exercise self-control.						

Child Abuse, Including Sexual Exploitation

Identify ways to seek assistance if worried, abused, or threatened.						
Develop and use communication skills to tell others when touching is unwanted.						

Emergencies

Recognize emergencies and respond appropriately.						
Practice appropriate behaviors during fire drills, earthquake drills, and other disaster drills.						

Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Three

EXPECTATION 4: STUDENTS WILL UNDERSTAND AND DEMONSTRATE HOW TO PLAY A POSITIVE, ACTIVE ROLE IN PROMOTING THE HEALTH OF THEIR FAMILIES.

Grade 3	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Roles of Family Members

▲ Develop and use effective communication skills.					
Demonstrate ways to help support positive family interactions, such as listening to and following directions and showing care and concern toward other family members.					
Support and value all family members.					

Change Within the Family

▲ Identify feelings related to changes within the family.					
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EXPECTATION 5: STUDENTS WILL UNDERSTAND AND DEMONSTRATE HOW TO PROMOTE POSITIVE HEALTH PRACTICES WITHIN THE SCHOOL AND COMMUNITY, INCLUDING HOW TO CULTIVATE POSITIVE RELATIONSHIPS WITH PEERS.

Grade 3	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Friendship and Peer Relationships

▲ Know and use appropriate ways to make new friends.					
▲ Demonstrate acceptable actions toward others.					
▲ Demonstrate positive ways to show or express feelings.					
▲ Resolve conflicts in a positive, constructive way.					
▲ Demonstrate acceptable methods of gaining attention.					

School and Community-Based Efforts to Promote and Protect Health

▲ Understand and follow school rules related to health.					
Participate in school efforts to promote health.					
Assume responsibility for helping to take care of the school.					

Publisher: _____
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2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Three

EXPECTATION 6: STUDENTS WILL UNDERSTAND THE VARIETY OF PHYSICAL, MENTAL, EMOTIONAL, AND SOCIAL CHANGES THAT OCCUR THROUGHOUT LIFE.

Grade 3	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Life Cycle

Demonstrate an understanding of the aging process (e.g., why older adults may have needs different from those of children).					
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EXPECTATION 7: STUDENTS WILL UNDERSTAND AND ACCEPT INDIVIDUAL DIFFERENCES IN GROWTH AND DEVELOPMENT.

Grade 3	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Growth and Development

▲ Demonstrate an understanding of individual differences.					
▲ Adapt group activities to include a variety of students.					

Mental and Emotional Development

Identify, express, and manage feelings appropriately.					
Develop and use effective communication skills.					

EXPECTATION 8: STUDENTS WILL IDENTIFY INFORMATION, PRODUCTS, AND SERVICES THAT MAY BE HELPFUL OR HARMFUL TO THEIR HEALTH.

Grade 3	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Products and Services

▲ Identify a variety of consumer influences and analyze how those influences affect decisions.					
Identify places for obtaining health and social services and learn what types of services are provided.					

Publisher: _____
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2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Three

EXPECTATION 8: CONTINUED...

Grade 3	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Products and Services/Food Choices

Read and interpret information available on food labels.					
Use labels to compare the contents of food products.					
Identify ads and recognize strategies used to influence decisions.					
Practice various positive responses to those influences.					

Publisher: _____
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2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Four

EXPECTATION 1: STUDENTS WILL DEMONSTRATE WAYS IN WHICH THEY CAN ENHANCE AND MAINTAIN THEIR HEALTH AND WELL-BEING.

Grade 4	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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The Human Body

Practice good personal hygiene, with particular attention to the changing needs of preadolescents and adolescents.					
Use protective equipment or practice protective behaviors.					

Food Choices

▲ Establish and maintain healthy eating practices.					
Make healthy food choices.					
Practice kitchen safety.					

Physical Activity

▲ Participate regularly in a variety of enjoyable physical activities.					
Set personal fitness goals.					
Explore out-of-school play activities that promote fitness and health.					
Obtain a sufficient amount of sleep.					

Mental and Emotional Health

▲ Demonstrate personal characteristics that contribute to self-confidence and self-esteem.					
Develop and use effective communication skills.					
▲ Identify and share feelings in appropriate ways.					

Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Four

EXPECTATION 2: STUDENTS WILL UNDERSTAND AND DEMONSTRATE BEHAVIORS THAT PREVENT DISEASE AND SPEED RECOVERY FROM ILLNESS.

Grade 4	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Disease Prevention

Practice positive health behaviors to reduce the risk of disease.					
Practice good personal hygiene.					

Treatment of Disease

▲ Recognize symptoms of common illnesses.					
Cooperate with parents and health care providers in the treatment or management of disease.					

EXPECTATION 3: STUDENTS WILL PRACTICE BEHAVIORS THAT REDUCE THE RISKS OF BECOMING INVOLVED IN POTENTIALLY DANGEROUS SITUATIONS AND REACT TO POTENTIALLY DANGEROUS SITUATIONS IN WAYS THAT HELP TO PROTECT THEIR HEALTH.

Grade 4	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Potentially Dangerous Situations

▲ Develop and use skills to avoid, resolve, and cope with conflicts.					
Develop and use skills to identify, avoid, and cope with potentially dangerous situations.					

Alcohol, Tobacco, and Other Drugs

▲ Distinguish between helpful and harmful substances.					
Identify ways to cope with or seek assistance when confronted with situations involving alcohol, tobacco, and other drugs.					
▲ Identify ways of obtaining help to resist pressure to use alcohol, tobacco, or other drugs.					

Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Four

EXPECTATION 3: CONTINUED...

Grade 4	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Child Abuse, Including Sexual Exploitation

Identify ways to seek assistance if worried, abused, or threatened.					
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Emergencies

Recognize emergencies and respond appropriately, including knowing where to find emergency supplies.					
▲ Understand the family emergency plan.					

EXPECTATION 4: STUDENTS WILL UNDERSTAND AND DEMONSTRATE HOW TO PLAY A POSITIVE, ACTIVE ROLE IN PROMOTING THE HEALTH OF THEIR FAMILIES.

Grade 4	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Roles of Family Members

Demonstrate ways to help support positive family interactions.					
Practice health-promoting behaviors with the family.					

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2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Four

EXPECTATION 5: STUDENTS WILL UNDERSTAND AND DEMONSTRATE HOW TO PROMOTE POSITIVE HEALTH PRACTICES WITHIN THE SCHOOL AND COMMUNITY, INCLUDING HOW TO CULTIVATE POSITIVE RELATIONSHIPS WITH THEIR PEERS.

Grade 4	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Friendship and Peer Relationships

Know and use appropriate ways to make new friends.					
▲ Resolve conflicts in a positive, constructive way.					
Demonstrate positive actions toward others.					

School and Community-Based Efforts to Promote and Protect Health

Participate in school efforts to promote health.					
Participate in community efforts to address local health and environmental issues.					
Understand and follow school rules related to health.					

EXPECTATION 6: STUDENTS WILL UNDERSTAND THE VARIETY OF PHYSICAL, MENTAL, EMOTIONAL, AND SOCIAL CHANGES THAT OCCUR THROUGHOUT LIFE.

Grade 4	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Life Cycle

Recognize the changes that occur during preadolescence.					
Practice good personal hygiene.					
Manage feelings appropriately.					

Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Four

EXPECTATION 7: STUDENTS WILL UNDERSTAND AND ACCEPT INDIVIDUAL DIFFERENCES IN GROWTH AND DEVELOPMENT.

Grade 4	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Growth and Development

▲ Demonstrate an understanding of individual differences.					
Adapt group activities to include a variety of students.					

Mental and Emotional Development

Identify, express, and manage feelings appropriately.					
Develop and use effective communication skills					
Develop and use strategies, including critical thinking, decision making, goal setting, and problem solving.					

EXPECTATION 8: STUDENTS WILL IDENTIFY INFORMATION, PRODUCTS, AND SERVICES THAT MAY BE HELPFUL OR HARMFUL TO THEIR HEALTH.

Grade 4	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Products and Services

Use critical-thinking skills to analyze marketing and advertising techniques and their influence.					
Recognize helpful products and services.					
Identify health-care workers.					
Seek care from the school nurse or others (e.g., when needed for proper management of asthma).					

Food Choices

▲ Develop basic food-preparation skills.					
Read and interpret information available on food labels.					
Use valid nutrition information to make healthy food choices.					

Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Five

EXPECTATION 1: STUDENTS WILL DEMONSTRATE WAYS IN WHICH THEY CAN ENHANCE AND MAINTAIN THEIR HEALTH AND WELL-BEING.

Grade 5	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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The Human Body

▲ Practice good personal hygiene, with particular attention to the changing needs of preadolescents and adolescents.					
Use protective equipment or practice protective behaviors.					

Food Choices

▲ Establish and maintain healthy eating practices.					
Make healthy food choices.					
Prepare a variety of healthy foods.					
Practice kitchen safety.					

Physical Activity

▲ Participate regularly in a variety of enjoyable physical activities.					
▲ Set personal fitness goals.					
▲ Explore out-of-school play activities that promote fitness and health.					
Obtain a sufficient amount of sleep.					

Mental and Emotional Health

Demonstrate personal characteristics that contribute to self-confidence and self-esteem.					
▲ Develop and use effective communication skills.					
▲ Develop and use effective coping strategies.					
Identify and share feelings in appropriate ways.					

Publisher: _____
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2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Five

EXPECTATION 2: STUDENTS WILL UNDERSTAND AND DEMONSTRATE BEHAVIORS THAT PREVENT DISEASE AND SPEED RECOVERY FROM ILLNESS.

Grade 5	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Disease Prevention

Practice positive health behaviors to reduce the risk of disease.					
Practice good personal hygiene.					

Treatment of Disease

Recognize symptoms of common illnesses.					
Cooperate with parents and health care providers in the treatment or management of disease.					

Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Five

EXPECTATION 3: STUDENTS WILL PRACTICE BEHAVIORS THAT REDUCE THE RISKS OF BECOMING INVOLVED IN POTENTIALLY DANGEROUS SITUATIONS AND REACT TO POTENTIALLY DANGEROUS SITUATIONS IN WAYS THAT HELP TO PROTECT THEIR HEALTH.

Grade 5	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes	No	IMAP/CRP Notes
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Potentially Dangerous Situations

▲ Develop and use skills to avoid, resolve, and cope with conflicts.						
▲ Develop and use skills to identify, avoid, and cope with potentially dangerous situations.						
▲ Understand and follow rules prohibiting possession of weapons at school.						

Alcohol, Tobacco, and Other Drugs

Distinguish between helpful and harmful substances.						
▲ Avoid, recognize, and respond to negative social influences and pressures to use alcohol, tobacco, or other drugs.						
▲ Identify ways to cope with or seek assistance when confronted with situations involving alcohol, tobacco, and other drugs.						
Identify ways of obtaining help to resist pressure to use alcohol, tobacco, or other drugs.						

Child Abuse, Including Sexual Exploitation

Identify ways to seek assistance if worried, abused, or threatened.						
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Emergencies

Recognize emergencies and respond appropriately, including knowing where to find emergency supplies.						
Understand the family emergency plan.						

Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Five

EXPECTATION 4: STUDENTS WILL UNDERSTAND AND DEMONSTRATE HOW TO PLAY A POSITIVE, ACTIVE ROLE IN PROMOTING THE HEALTH OF THEIR FAMILIES.

Grade 5	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Roles of Family Members

Demonstrate ways to help support positive family interactions.					
Practice health-promoting behaviors with the family.					

EXPECTATION 5: STUDENTS WILL UNDERSTAND AND DEMONSTRATE HOW TO PROMOTE POSITIVE HEALTH PRACTICES WITHIN THE SCHOOL AND COMMUNITY, INCLUDING HOW TO CULTIVATE POSITIVE RELATIONSHIPS WITH THEIR PEERS.

Grade 5	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Friendship and Peer Relationships

Know and use appropriate ways to make new friends.					
▲ Resolve conflicts in a positive, constructive way.					
▲ Demonstrate positive actions toward others.					
▲ Demonstrate acceptable methods of gaining attention.					
Demonstrate acceptable ways to show or express feelings.					
▲ Demonstrate how to resist negative peer pressure.					

School and Community-Based Efforts to Promote and Protect Health

Participate in school efforts to promote health.					
Participate in community efforts to address local health and environmental issues.					
Understand and follow school rules related to health.					

Publisher: _____
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2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Five

EXPECTATION 6: STUDENTS WILL UNDERSTAND THE VARIETY OF PHYSICAL, MENTAL, EMOTIONAL, AND SOCIAL CHANGES THAT OCCUR THROUGHOUT LIFE.

Grade 5	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Life Cycle

▲ Recognize the changes that occur during preadolescence.					
▲ Use correct terminology for body parts.					
Recognize changing emotions.					
▲ Practice good personal hygiene.					
Manage feelings appropriately.					

EXPECTATION 7: STUDENTS WILL UNDERSTAND AND ACCEPT INDIVIDUAL DIFFERENCES IN GROWTH AND DEVELOPMENT.

Grade 5	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Growth and Development

Develop a realistic body image.					
Adapt group activities to include a variety of students.					

Mental and Emotional Development

Identify, express, and manage feelings appropriately.					
Develop and use effective communication skills.					
Develop and use strategies, including critical thinking, decision making, goal setting, and problem solving.					

Publisher: _____
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2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Five

EXPECTATION 8: STUDENTS WILL IDENTIFY INFORMATION, PRODUCTS, AND SERVICES THAT MAY BE HELPFUL OR HARMFUL TO THEIR HEALTH.

Grade 5	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Products and Services

▲ Use critical-thinking skills to analyze marketing and advertising techniques and their influence.					
Recognize helpful products and services.					
Identify a variety of consumer influences and analyze how those influences affect decisions.					
Seek care from the school nurse or others (e.g., when needed for proper management of asthma).					

Food Choices

▲ Develop basic food-preparation skills.					
Read and interpret information available on food labels.					
Use valid nutrition information to make healthy food choices.					
Use critical-thinking skills to analyze marketing and advertising techniques and their influence on food selection.					
Use unit pricing to determine the most economical purchases.					

Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Six

EXPECTATION 1: STUDENTS WILL DEMONSTRATE WAYS IN WHICH THEY CAN ENHANCE AND MAINTAIN THEIR HEALTH AND WELL-BEING.

Grade 6	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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The Human Body

▲ Practice good personal hygiene, with particular attention to the changing needs of preadolescents and adolescents.					
Use protective equipment or practice protective behaviors.					

Food Choices

▲ Establish and maintain healthy eating practices.					
Make healthy food choices.					
Analyze influences on food choices.					
Practice kitchen safety.					

Physical Activity

▲ Participate regularly in a variety of enjoyable physical activities.					
▲ Set personal fitness goals.					
▲ Explore out-of-school play activities that promote fitness and health.					
▲ Obtain a sufficient amount of sleep.					
Observe safety rules during physical activities.					

Mental and Emotional Health

Demonstrate personal characteristics that contribute to self-confidence and self-esteem.					
▲ Develop and use effective communication skills.					
▲ Develop and use effective coping strategies.					
Identify and share feelings in appropriate ways.					
Develop protective factors that help foster resiliency.					
Avoid self-destructive behaviors and practice strategies for resisting negative peer pressure.					

Publisher: _____
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 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Six

EXPECTATION 2: STUDENTS WILL UNDERSTAND AND DEMONSTRATE BEHAVIORS THAT PREVENT DISEASE AND SPEED RECOVERY FROM ILLNESS.

Grade 6	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Disease Prevention

▲ Practice positive health behaviors to reduce the risk of disease.					
Practice good personal hygiene.					
Cooperate in regular health screenings.					
Demonstrate care and concern toward ill persons in the family, the school, and the community.					

Treatment of Disease

Recognize symptoms of common illnesses.					
Take prescription and over-the-counter medicines properly.					
Cooperate with parents and health care providers in the treatment or management of disease.					
Interpret correctly instructions for taking medicine.					

Publisher: _____
 Program Title: _____
 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Six

**EXPECTATION 3: STUDENTS WILL PRACTICE BEHAVIORS THAT REDUCE THE RISKS OF BECOMING INVOLVED IN POTENTIALLY DANGEROUS SITUATIONS
 AND REACT TO POTENTIALLY DANGEROUS SITUATIONS IN WAYS THAT HELP TO PROTECT THEIR HEALTH.**

Grade 6	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes	No	IMAP/CRP Notes
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Potentially Dangerous Situations

▲ Develop and use skills to avoid, resolve, and cope with conflicts.					
▲ Develop and use skills to identify, avoid, and cope with potentially dangerous situations.					
▲ Understand and follow rules prohibiting possession of weapons at school.					
Practice safe behavior in or near motorized vehicles.					
Practice safe behavior in recreational activities.					
Practice safe behavior in and near water.					
Report or obtain assistance when faced with unsafe situations.					

Alcohol, Tobacco, and Other Drugs

Distinguish between helpful and harmful substances.					
▲ Avoid, recognize, and respond to negative social influences and pressures to use alcohol, tobacco, or other drugs.					
Exercise self-control.					
Develop and use interpersonal and communication skills.					
Identify ways to cope with or seek assistance when confronted with situations involving alcohol, tobacco, and other drugs.					
Identify ways of obtaining help to resist pressure to use alcohol, tobacco, or other drugs.					
Differentiate between the use and misuse of prescription and nonprescription drugs.					
Use positive peer pressure to help counteract the negative effects of living in an environment where alcohol, tobacco, or other drug abuse or dependency exists.					

Publisher: _____
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 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Six

EXPECTATION 3: CONTINUED...

Grade 6	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Child Abuse, Including Sexual Exploitation

Identify ways to seek assistance if worried, abused, or threatened.					
Recognize and avoid situations that can increase risk of abuse.					

Emergencies

▲ Recognize emergencies and respond appropriately, including (1) knowing where to find emergency supplies; (2) demonstrating proficiency in basic first-aid procedures; and (3) using precautions when dealing with other people's blood.					
Understand the family emergency plan.					

EXPECTATION 4: STUDENTS WILL UNDERSTAND AND DEMONSTRATE HOW TO PLAY A POSITIVE, ACTIVE ROLE IN PROMOTING THE HEALTH OF THEIR FAMILIES.

Grade 6	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Roles of Family Members

Demonstrate ways to help support positive family interactions.					
Practice health-promoting behaviors with the family.					
Participate in daily activities that help maintain the family.					
Support and value all family members.					
Develop and use effective communication skills.					

Change Within the Family

Identify and effectively express feelings related to changes within the family.					
Use effective strategies to cope with changes within the family, including identifying a support system.					

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2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Six

EXPECTATION 5: STUDENTS WILL UNDERSTAND AND DEMONSTRATE HOW TO PROMOTE POSITIVE HEALTH PRACTICES WITHIN THE SCHOOL AND COMMUNITY, INCLUDING HOW TO CULTIVATE POSITIVE RELATIONSHIPS WITH THEIR PEERS.

Grade 6	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation		IMAP/CRP Notes
				Yes	No	

Friendship and Peer Relationships

Know and use appropriate ways to make new friends.						
Resolve conflicts in a positive, constructive way.						
Demonstrate positive actions toward others.						
Demonstrate acceptable methods of gaining attention.						
Demonstrate acceptable ways to show or express feelings.						
▲ Demonstrate how to resist negative peer pressure.						

School and Community-Based Efforts to Promote and Protect Health

▲ Participate in school efforts to promote health.						
▲ Participate in community efforts to address local health and environmental issues.						
▲ Understand and follow school rules related to health.						
Assume responsibility for helping to take care of the school.						
Contribute to the strengthening of health-related policies at school.						
Recognize that public policies and laws influence health-related issues.						

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2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Six

EXPECTATION 6: STUDENTS WILL UNDERSTAND THE VARIETY OF PHYSICAL, MENTAL, EMOTIONAL, AND SOCIAL CHANGES THAT OCCUR THROUGHOUT LIFE.

Grade 6	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Life Cycle

Recognize the changes that occur during preadolescence.					
▲ Use correct terminology for body parts.					
Recognize changing emotions.					
▲ Develop and use effective communication skills to discuss with parents or other trusted adults the changes that occur during preadolescence.					
▲ Practice good personal hygiene.					
Manage feelings appropriately.					

EXPECTATION 7: STUDENTS WILL UNDERSTAND AND ACCEPT INDIVIDUAL DIFFERENCES IN GROWTH AND DEVELOPMENT.

Grade 6	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Growth and Development

▲ Demonstrate an understanding of individual differences.					
▲ Develop a realistic body image.					
Recognize problems associated with not having a realistic body image.					
Adapt group activities to include a variety of students.					

Mental and Emotional Development

Identify, express, and manage feelings appropriately.					
Develop and use effective communication skills.					
Develop and use strategies, including critical thinking, decision making, goal setting, and problem solving.					
Recognize one's own strengths and limitations.					
Focus on the future (e.g., realistic short-term and long-term goals).					

Publisher: _____
 Program Title: _____
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2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Six

EXPECTATION 8: STUDENTS WILL IDENTIFY INFORMATION, PRODUCTS, AND SERVICES THAT MAY BE HELPFUL OR HARMFUL TO THEIR HEALTH.

Grade 6	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Products and Services

▲ Use critical-thinking skills to analyze marketing and advertising techniques and their influence.					
Recognize helpful products and services.					
Identify a variety of consumer influences and analyze how those influences affect decisions.					
Identify places for obtaining health and social services and learn what types of services are provided.					
Seek care from the school nurse or others (e.g., when needed for proper management of asthma).					
Discuss home care with parents when appropriate.					

Food Choices

▲ Develop basic food-preparation skills.					
Read and interpret information available on food labels.					
Use valid nutrition information to make healthy food choices.					
Use critical-thinking skills to analyze marketing and advertising techniques and their influence on food selection.					
Use unit pricing to determine the most economical purchases.					
Use labels to compare the contents of food products.					
Purchase nutritious foods in a variety of settings.					
Analyze and taste foods from different ethnic and cultural groups.					

Publisher: _____
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2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Seven

EXPECTATION 1: STUDENTS WILL DEMONSTRATE WAYS IN WHICH THEY CAN ENHANCE AND MAINTAIN THEIR HEALTH AND WELL-BEING.

Grade 7	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation		IMAP/CRP Notes
				Yes	No	

The Human Body

▲ Practice good personal hygiene, including accepting responsibility for making those behaviors part of a normal routine.						
▲ Recognize and accept differences in body types and maturation levels.						
Recognize and avoid potentially harmful environmental conditions, such as exposure to pesticides or lead paint.						
Use protective equipment, such as goggles to protect the eyes when appropriate, or practice behaviors to protect the body, such as applying sunscreen, exercising, or making healthy food choices.						

Food Choices

▲ Make healthy food choices in a variety of settings.						
▲ Compare caloric values of foods according to the percentage of fat, protein, and carbohydrate they contain.						
▲ Establish and maintain healthy eating practices.						
Select appropriate practices to maintain, lose, or gain weight according to individual needs and scientific research.						
Prepare a variety of healthy foods.						
Analyze influences on food choices.						

Physical Activity

▲ Observe safety rules during physical activities.						
▲ Develop and initiate a personal fitness plan.						
Obtain a sufficient amount of sleep.						
Explore ways to engage in out-of-school activities that promote fitness and health.						
Participate regularly in a variety of enjoyable physical activities.						

Publisher: _____
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2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Seven

EXPECTATION 1 CONTINUED...

Grade 7	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Mental and Emotional Health

Demonstrate characteristics that contribute to self-confidence and self-esteem.					
Develop and use effective communication skills.					
Manage strong feelings and boredom.					
Develop protective factors that help foster resiliency.					
Develop and use effective coping strategies, emphasizing coping with feelings of inadequacy, sadness.					
Avoid self-destructive behaviors.					
Practice strategies for resisting negative peer pressure.					
Identify risk factors for negative behaviors and develop effective strategies for counteracting these risk factors.					
Select entertainment that promotes mental and physical health.					

EXPECTATION 2: STUDENTS WILL UNDERSTAND AND DEMONSTRATE BEHAVIORS THAT PREVENT DISEASE AND SPEED RECOVERY FROM ILLNESS.

Grade 7	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Disease Prevention

▲ Practice good personal hygiene.					
▲ Practice positive health behaviors to reduce the risk of disease.					
▲ Cooperate in regular health screenings.					
Practice and use effective self-examination procedures.					
Demonstrate care and concern toward ill persons in the family, the school, and the community.					
Make a commitment to abstain from sexual activity.					
Receive and understand statistics based on the latest medical information citing the failure and success rates of condoms in preventing AIDS and other sexually transmitted diseases.					

Publisher: _____
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2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Seven

EXPECTATION 2 CONTINUED....

Grade 7	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Treatment of Disease

Recognize symptoms of common illnesses.					
Take prescription and over-the-counter medicines properly.					
Interpret correctly instructions written on medicine container labels, including information about side effects.					
Determine when treatment of illness at home is appropriate and when and how to seek further help when needed.					
Accept responsibility for active involvement in the treatment or management of disease.					

EXPECTATION 3: STUDENTS WILL PRACTICE BEHAVIORS THAT REDUCE THE RISKS OF BECOMING INVOLVED IN POTENTIALLY DANGEROUS SITUATIONS AND REACT TO POTENTIALLY DANGEROUS SITUATIONS IN WAYS THAT HELP TO PROTECT THEIR HEALTH.

Grade 7	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Potentially Dangerous Situations

▲ Develop and use skills to identify, avoid, and cope with potentially dangerous situations.					
▲ Use skills to avoid, resolve, and cope with conflicts.					
▲ Understand and follow rules prohibiting possession of weapons at school.					
▲ Identify risk factors that reduce risks of accidents.					
Practice safe behavior in or near motorized vehicles.					
Practice safe behavior in recreational activities, even in the absence of adults.					
Practice safe behavior in and near water.					
Report or obtain assistance when faced with unsafe situations.					
Identify environmental factors that affect health and safety.					
Demonstrate how peers can help each other avoid and cope with potentially dangerous situations in healthy ways.					
Use thinking and decision-making skills in high-risk situations involving the use of motor vehicles and other hazardous activities.					

Publisher: _____
Program Title: _____
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2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Seven

EXPECTATION 3: CONTINUED...

Grade 7	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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▲ Recognize that the use of alcohol and other drugs plays a role in many dangerous situations.					
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Alcohol, Tobacco, and Other Drugs

▲ Develop and use interpersonal and communication skills (e.g., assertiveness, refusal, negotiation, and conflict resolution).					
▲ Differentiate between the use and misuse of prescription and nonprescription drugs.					
▲ Avoid, recognize, and respond to negative social influences and pressure to use alcohol, tobacco, or other drugs.					
▲ Identify ways of obtaining help to resist pressure to use alcohol, tobacco, or other drugs.					
▲ Identify and participate in positive alternative activities, such as alcohol-, tobacco-, and drug-free events.					
Exercise self-control.					
Distinguish between helpful and harmful substances.					
Use positive peer pressure to help counteract the negative effects of living in an environment where alcohol, tobacco, or other drug abuse or dependency exists.					

Child Abuse, Including Sexual Exploitation

▲ Recognize and avoid situations that can increase risk of abuse.					
Identify ways to seek assistance if worried, abused, or threatened.					
Avoid, recognize, and respond to negative social influences and pressure to become sexually active, including applying refusal skills when appropriate.					

Emergencies

▲ Recognize emergencies and respond appropriately, including demonstrating proficiency in basic first-aid procedures.					
Develop and maintain with other family members a personal and family emergency plan, including maintaining supplies for emergencies.					

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2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Seven

EXPECTATION 4: STUDENTS WILL UNDERSTAND AND DEMONSTRATE HOW TO PLAY A POSITIVE, ACTIVE ROLE IN PROMOTING THE HEALTH OF THEIR FAMILIES.

Grade 7	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation		IMAP/CRP Notes
				Yes	No	

Roles of Family Members

▲ Demonstrate ways to help support positive family interactions.						
▲ Develop and use effective communication skills, including talking openly and honestly with parents when problems arise and discussing with parents questions about sexuality.						
▲ Practice health-promoting behaviors within the family.						
Support and value all family members.						
Complete self-initiated activities beyond assigned chores to help support the family.						
Identify safety hazards in the home and help to remove them.						

Change Within the Family

▲ Use effective strategies to cope with change within the family, such as seeking assistance from a parent, a trusted adult, a support system, or counseling when needed.						
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2004 HEALTH PRIMARY ADOPTION
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Grade Seven

EXPECTATION 5: STUDENTS WILL UNDERSTAND AND DEMONSTRATE HOW TO PROMOTE POSITIVE HEALTH PRACTICES WITHIN THE SCHOOL AND COMMUNITY, INCLUDING HOW TO CULTIVATE POSITIVE RELATIONSHIPS WITH THEIR PEERS.

Grade 7	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Friendship and Peer Relationships

▲ Know and use appropriate ways to make new friends.					
▲ Demonstrate positive actions toward others.					
▲ Resolve conflicts in a positive, constructive way.					
▲ Demonstrate how to resist negative peer pressure.					
▲ Avoid demeaning statements directed toward others.					
▲ Interact effectively with many different people.					
▲ Promote positive health behaviors among peers.					
Demonstrate acceptable methods of gaining attention.					
Demonstrate acceptable ways to show or express feelings.					
▲ Help peers know when they should seek help from a parent or other trusted adult.					

School and Community-Based Efforts to Promote and Protect Health

▲ Understand and follow school rules related to health.					
▲ Participate in school efforts to promote health.					
▲ Assume responsibility for helping to take care of the school.					
Participate in community efforts to address local health and environmental issues.					
Encourage others to become involved in health-promotion efforts at school.					
Analyze the impact of laws, policies, and practices on health-related issues.					
Encourage others to become involved in health-promotion efforts at many different levels.					
Access appropriately services available within the community.					
Contribute to the strengthening of health-related policies at school.					

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2004 HEALTH PRIMARY ADOPTION
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EXPECTATION 6: STUDENTS WILL UNDERSTAND THE VARIETY OF PHYSICAL, MENTAL, EMOTIONAL, AND SOCIAL CHANGES THAT OCCUR THROUGHOUT LIFE.

Grade 7	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Life Cycle

▲ Practice good personal hygiene, paying particular attention to the changing needs of adolescents.					
▲ Manage feelings appropriately.					
▲ Develop and use effective communication skills to discuss with parents or other trusted adults the changes that occur during adolescence.					
Recognize fluctuations in emotions.					
Practice behaviors that will provide the option of healthy parenting later in life, such as avoidance of substance abuse.					

EXPECTATION 7: STUDENTS WILL UNDERSTAND AND ACCEPT INDIVIDUAL DIFFERENCES IN GROWTH AND DEVELOPMENT.

Grade 7	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Growth and Development

▲ Demonstrate an understanding of individual differences.					
▲ Develop a realistic body image.					
Recognize problems associated with not having a realistic body image.					
▲ Recognize the effects of performance-altering substances and avoid the use of those substances.					
Adapt group activities to include a variety of students.					

Mental and Emotional Development

▲ Identify, express, and manage feelings appropriately.					
▲ Develop and use effective communication skills.					
▲ Use coping strategies, including time-management skills.					
Recognize one's own strengths and limitations.					
Develop a focus on the future.					

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2004 HEALTH PRIMARY ADOPTION
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EXPECTATION 8: STUDENTS WILL UNDERSTAND THEIR DEVELOPING SEXUALITY, WILL CHOOSE TO ABSTAIN FROM SEXUAL ACTIVITY, WILL LEARN ABOUT PROTECTING THEIR SEXUAL HEALTH, AND WILL TREAT THE SEXUALITY OF OTHERS WITH RESPECT.

Grade 7	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Sexuality

▲ Develop and use effective communication skills, including the ability to discuss with parents questions on sexuality.					
▲ Identify appropriate ways to show affection.					
▲ Use good judgment to recognize and avoid situations that could lead to subsequent sexual activity.					
▲ Practice behaviors that support the decision to abstain from sexual activity.					
▲ Demonstrate assertive and refusal skills and apply those skills to situations involving pressure to be sexually active.					
Avoid, recognize, and respond to negative social influences and pressure to become sexually active.					
Identify ways to seek assistance if abused.					
Receive and understand statistics based on the latest medical information citing the failure and success rates of condoms and other contraceptives in preventing pregnancy and sexually transmitted diseases.					

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 Grade Levels: _____

2004 HEALTH PRIMARY ADOPTION
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Grade Seven

EXPECTATION 9: STUDENTS WILL IDENTIFY INFORMATION, PRODUCTS, AND SERVICES THAT MAY BE HELPFUL OR HARMFUL TO THEIR HEALTH.

Grade 7	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
Products and Services/Food Choices					
▲ Identify a variety of consumer influences and analyze how those influences affect decisions.					
▲ Use critical-thinking skills to analyze marketing and advertising techniques and their influences.					
▲ Identify appropriate sources of health services for a variety of illnesses.					
▲ Develop and apply criteria for the selection or rejection of health products, services, and information.					
Recognize helpful products and services.					
Seek care from the school nurse or school-linked services when appropriate.					
▲ Use critical-thinking skills to analyze marketing and advertising techniques and their influence on food selection.					
Use labels to compare the contents of food products.					
Use valid nutrition information to make healthy food choices.					
Use unit pricing to determine the most economical purchases.					
Develop basic food-preparation skills, including sanitary Food preparation and storage.					
Use effective consumer skills to purchase healthy foods within budget constraints.					
Use critical-thinking skills to distinguish facts from fallacies concerning the nutritional value of foods.					
Adapt recipes to make them more healthy by lowering fat, salt, or sugar and increasing fiber.					
Use critical-thinking skills to analyze weight modification practices and select appropriate practices to maintain, lose, or gain weight.					

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2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Eight

EXPECTATION 1: STUDENTS WILL DEMONSTRATE WAYS IN WHICH THEY CAN ENHANCE AND MAINTAIN THEIR HEALTH AND WELL-BEING.

Grade 8	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation		IMAP/CRP Notes
				Yes	No	

The Human Body

▲ Practice good personal hygiene, including accepting responsibility for making those behaviors part of a normal routine.						
▲ Recognize and accept differences in body types and maturation levels.						
Recognize and avoid potentially harmful environmental conditions, such as exposure to pesticides or lead paint.						
Use protective equipment, such as goggles to protect the eyes when appropriate, or practice behaviors to protect the body, such as applying sunscreen, exercising, or making healthy food choices.						

Food Choices

▲ Make healthy food choices in a variety of settings.						
▲ Compare caloric values of foods according to the percentage of fat, protein, and carbohydrate they contain.						
▲ Establish and maintain healthy eating practices.						
Select appropriate practices to maintain, lose, or gain weight according to individual needs and scientific research.						
Prepare a variety of healthy foods.						
Analyze influences on food choices.						

Physical Activity

▲ Observe safety rules during physical activities.						
▲ Develop and initiate a personal fitness plan.						
Obtain a sufficient amount of sleep.						
Explore ways to engage in out-of-school activities that promote fitness and health.						
Participate regularly in a variety of enjoyable physical activities.						

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Grade-Level Emphases Map
Grade Eight

EXPECTATION 1 CONTINUED...

Grade 8	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Mental and Emotional Health

Demonstrate characteristics that contribute to self-confidence and self-esteem.					
Develop and use effective communication skills.					
Manage strong feelings and boredom.					
Develop protective factors that help foster resiliency.					
Develop and use effective coping strategies, emphasizing coping with feelings of inadequacy, sadness.					
Avoid self-destructive behaviors.					
Practice strategies for resisting negative peer pressure.					
Identify risk factors for negative behaviors and develop effective strategies for counteracting these risk factors.					
Select entertainment that promotes mental and physical health.					

EXPECTATION 2: STUDENTS WILL UNDERSTAND AND DEMONSTRATE BEHAVIORS THAT PREVENT DISEASE AND SPEED RECOVERY FROM ILLNESS.

Grade 8	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Disease Prevention

▲ Practice good personal hygiene.					
▲ Practice positive health behaviors to reduce the risk of disease.					
▲ Cooperate in regular health screenings.					
Practice and use effective self-examination procedures.					
Demonstrate care and concern toward ill persons in the family, the school, and the community.					
Make a commitment to abstain from sexual activity.					
Receive and understand statistics based on the latest medical information citing the failure and success rates of condoms in preventing AIDS and other sexually transmitted diseases.					

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2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Eight

EXPECTATION 2 CONTINUED....

Grade 8	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Treatment of Disease

Recognize symptoms of common illnesses.					
Take prescription and over-the-counter medicines properly.					
Interpret correctly instructions written on medicine container labels, including information about side effects.					
Determine when treatment of illness at home is appropriate and when and how to seek further help when needed.					
Accept responsibility for active involvement in the treatment or management of disease.					

EXPECTATION 3: STUDENTS WILL PRACTICE BEHAVIORS THAT REDUCE THE RISKS OF BECOMING INVOLVED IN POTENTIALLY DANGEROUS SITUATIONS AND REACT TO POTENTIALLY DANGEROUS SITUATIONS IN WAYS THAT HELP TO PROTECT THEIR HEALTH.

Grade 8	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Potentially Dangerous Situations

▲ Develop and use skills to identify, avoid, and cope with potentially dangerous situations.					
▲ Use skills to avoid, resolve, and cope with conflicts.					
▲ Understand and follow rules prohibiting possession of weapons at school.					
▲ Identify risk factors that reduce risks of accidents.					
Practice safe behavior in or near motorized vehicles.					
Practice safe behavior in recreational activities, even in the absence of adults.					
Practice safe behavior in and near water.					
Report or obtain assistance when faced with unsafe situations.					
Identify environmental factors that affect health and safety.					

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2004 HEALTH PRIMARY ADOPTION
Grade-Level Emphases Map
Grade Eight

EXPECTATION 3 CONTINUED....

Grade 8	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation		IMAP/CRP Notes
				Yes	No	
	Demonstrate how peers can help each other avoid and cope with potentially dangerous situations in healthy ways.					
	Use thinking and decision-making skills in high-risk situations involving the use of motor vehicles and other hazardous activities.					
	▲ Recognize that the use of alcohol and other drugs plays a role in many dangerous situations.					

Alcohol, Tobacco, and Other Drugs

▲ Develop and use interpersonal and communication skills (e.g., assertiveness, refusal, negotiation, and conflict resolution).					
▲ Differentiate between the use and misuse of prescription and nonprescription drugs.					
▲ Avoid, recognize, and respond to negative social influences and pressure to use alcohol, tobacco, or other drugs.					
▲ Identify ways of obtaining help to resist pressure to use alcohol, tobacco, or other drugs.					
▲ Identify and participate in positive alternative activities, such as alcohol-, tobacco-, and drug-free events.					
Exercise self-control.					
Distinguish between helpful and harmful substances.					
Use positive peer pressure to help counteract the negative effects of living in an environment where alcohol, tobacco, or other drug abuse or dependency exists.					

Child Abuse, Including Sexual Exploitation

▲ Recognize and avoid situations that can increase risk of abuse.					
Identify ways to seek assistance if worried, abused, or threatened.					
Avoid, recognize, and respond to negative social influences and pressure to become sexually active, including applying refusal skills when appropriate.					

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Grade Eight

EXPECTATION 3 CONTINUED....

Grade 8	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Emergencies

▲ Recognize emergencies and respond appropriately, including demonstrating proficiency in basic first-aid procedures.					
Develop and maintain with other family members a personal and family emergency plan, including maintaining supplies for emergencies.					

EXPECTATION 4: STUDENTS WILL UNDERSTAND AND DEMONSTRATE HOW TO PLAY A POSITIVE, ACTIVE ROLE IN PROMOTING THE HEALTH OF THEIR FAMILIES.

Grade 8	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Roles of Family Members

▲ Demonstrate ways to help support positive family interactions.					
▲ Develop and use effective communication skills, including talking openly and honestly with parents when problems arise and discussing with parents questions about sexuality.					
▲ Practice health-promoting behaviors within the family.					
Support and value all family members.					
Complete self-initiated activities beyond assigned chores to help support the family.					
Identify safety hazards in the home and help to remove them.					

Change Within the Family

▲ Use effective strategies to cope with change within the family, such as seeking assistance from a parent, a trusted adult, a support system, or counseling when needed.					
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Grade Eight

EXPECTATION 5: STUDENTS WILL UNDERSTAND AND DEMONSTRATE HOW TO PROMOTE POSITIVE HEALTH PRACTICES WITHIN THE SCHOOL AND COMMUNITY, INCLUDING HOW TO CULTIVATE POSITIVE RELATIONSHIPS WITH THEIR PEERS.

Grade 8	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Friendship and Peer Relationships

▲ Know and use appropriate ways to make new friends.					
▲ Demonstrate positive actions toward others.					
▲ Resolve conflicts in a positive, constructive way.					
▲ Demonstrate how to resist negative peer pressure.					
▲ Avoid demeaning statements directed toward others.					
▲ Interact effectively with many different people.					
▲ Promote positive health behaviors among peers.					
Demonstrate acceptable methods of gaining attention.					
Demonstrate acceptable ways to show or express feelings.					
▲ Help peers know when they should seek help from a parent or other trusted adult.					

School and Community-Based Efforts to Promote and Protect Health

▲ Understand and follow school rules related to health.					
▲ Participate in school efforts to promote health.					
▲ Assume responsibility for helping to take care of the school.					
Participate in community efforts to address local health and environmental issues.					
Encourage others to become involved in health-promotion efforts at school.					
Analyze the impact of laws, policies, and practices on health-related issues.					
Encourage others to become involved in health-promotion efforts at many different levels.					
Access appropriately services available within the community.					
Contribute to the strengthening of health-related policies at school.					

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Grade Eight

EXPECTATION 6: STUDENTS WILL UNDERSTAND THE VARIETY OF PHYSICAL, MENTAL, EMOTIONAL, AND SOCIAL CHANGES THAT OCCUR THROUGHOUT LIFE.

Grade 8	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Life Cycle

▲ Practice good personal hygiene, paying particular attention to the changing needs of adolescents.					
▲ Manage feelings appropriately.					
▲ Develop and use effective communication skills to discuss with parents or other trusted adults the changes that occur during adolescence.					
Recognize fluctuations in emotions.					
Practice behaviors that will provide the option of healthy parenting later in life, such as avoidance of substance abuse.					

EXPECTATION 7: STUDENTS WILL UNDERSTAND AND ACCEPT INDIVIDUAL DIFFERENCES IN GROWTH AND DEVELOPMENT.

Grade 8	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Growth and Development

▲ Demonstrate an understanding of individual differences.					
▲ Develop a realistic body image.					
Recognize problems associated with not having a realistic body image.					
▲ Recognize the effects of performance-altering substances and avoid the use of those substances.					
Adapt group activities to include a variety of students.					

Mental and Emotional Development

▲ Identify, express, and manage feelings appropriately.					
▲ Develop and use effective communication skills.					
▲ Use coping strategies, including time-management skills.					
Recognize one's own strengths and limitations.					
Develop a focus on the future.					

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EXPECTATION 8: STUDENTS WILL UNDERSTAND THEIR DEVELOPING SEXUALITY, WILL CHOOSE TO ABSTAIN FROM SEXUAL ACTIVITY, WILL LEARN ABOUT PROTECTING THEIR SEXUAL HEALTH, AND WILL TREAT THE SEXUALITY OF OTHERS WITH RESPECT.

Grade 8	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation		IMAP/CRP Notes
				Yes	No	

Sexuality

▲ Develop and use effective communication skills, including the ability to discuss with parents questions on sexuality.						
▲ Identify appropriate ways to show affection.						
▲ Use good judgment to recognize and avoid situations that could lead to subsequent sexual activity.						
▲ Practice behaviors that support the decision to abstain from sexual activity.						
▲ Demonstrate assertive and refusal skills and apply those skills to situations involving pressure to be sexually active.						
Avoid, recognize, and respond to negative social influences and pressure to become sexually active.						
Identify ways to seek assistance if abused.						
Receive and understand statistics based on the latest medical information citing the failure and success rates of condoms and other contraceptives in preventing pregnancy and sexually transmitted diseases.						

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EXPECTATION 9: STUDENTS WILL IDENTIFY INFORMATION, PRODUCTS, AND SERVICES THAT MAY BE HELPFUL OR HARMFUL TO THEIR HEALTH.

Grade 8	Skills and Behavior	Primary Citations	Supporting Citations or References	Meets Expectation Yes No	IMAP/CRP Notes
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Products and Services/Food Choices

▲ Identify a variety of consumer influences and analyze how those influences affect decisions.					
▲ Use critical-thinking skills to analyze marketing and advertising techniques and their influences.					
▲ Identify appropriate sources of health services for a variety of illnesses.					
▲ Develop and apply criteria for the selection or rejection of health products, services, and information.					
Recognize helpful products and services.					
Seek care from the school nurse or school-linked services when appropriate.					
▲ Use critical-thinking skills to analyze marketing and advertising techniques and their influence on food selection.					
Use labels to compare the contents of food products.					
Use valid nutrition information to make healthy food choices.					
Use unit pricing to determine the most economical purchases.					
Develop basic food-preparation skills, including sanitary food preparation and storage.					
Use effective consumer skills to purchase healthy foods within budget constraints.					
Use critical-thinking skills to distinguish facts from fallacies concerning the nutritional value of foods.					
Adapt recipes to make them more healthy by lowering fat, salt, or sugar and increasing fiber.					
Use critical-thinking skills to analyze weight modification practices and select appropriate practices to maintain, lose, or gain weight.					

ATTACHMENT C

Instructions for Requesting a CD-ROM to Provide Submission Information

**INSTRUCTIONS FOR REQUESTING A CD-ROM
AND SUBMISSION INFORMATION**

Publishers must submit the following by February 27, 2004:

1. CD-ROM containing a list of all items to be considered for adoption
2. Contact form, including phone, fax, and e-mail contacts for personnel who will be staffing the adoption process
3. Program descriptions (see page 15 of Invitation to Submit packet)
4. Technology requirements and technology contacts
5. List of kit components (for every item on your submission CD-ROM that is composed of more than one component, list on a separate sheet of paper all components included in the item)

A CD-ROM and instructions will be supplied to all requesting publishers. To request a CD-ROM and instructions, please contact Larry Dunn at **(916) 319-0443**.

The following hardware specification is needed to prepare the CD with submission information:

- PC with a 486DX/66 MHz or higher processor (Pentium or higher processor is recommended)
- Microsoft Windows 95 or later operating system
- 16 MB of RAM for Windows 95 or later operating system (32 MB recommended)
- 20 MB hard-disk space required, CD-ROM drive
- Microsoft Mouse or compatible

ATTACHMENT D

Publisher's Checklist and Instructions for Alternate Sampling Plan Options

PUBLISHER'S CHECKLIST**Enclosures/Information** (please check all that apply and are enclosed with this form)

<input type="checkbox"/>	Submission CD-ROM
<input type="checkbox"/>	Detailed technology requirements and contacts
<input type="checkbox"/>	Short narrative description of submitted programs
<input type="checkbox"/>	Publisher's checklist indicating alternate sampling plan request

I understand that the joint reports of findings of the Content Review Panels and Instructional Materials Advisory Panels for the 2004 Health Primary Adoption will be available for purchase when completed and may contain both positive and negative statements regarding each of the programs considered. The State Board Adoption Report, which may also contain positive and negative statements regarding individual programs, will be made available to all local educational agencies after the State Board's action and will also be available for purchase and available through the California Department of Education Web site.

Signature of Authorized Representative:		Date:
Name of Authorized Representative : (Please Print)		Company:
Address:		City, State, Zip:
Telephone:		FAX Number:
E-mail Address:		

Optional Sampling : We are requesting the following options:

Check appropriate boxes

<input type="checkbox"/>	Option 1
<input type="checkbox"/>	Option 2
<input type="checkbox"/>	Option 3

Please return by February 27, 2004, 5 p.m. (PST) to:

Suzanne Rios, Administrator
California Department of Education
Instructional Resources Unit
1430 N Street
Sacramento, CA 95814

Optional Sampling Plan – 2004 Health Primary Adoption

Unless otherwise noted, all materials are to be provided to all LRDC sites (currently 24), all CRPs* and all IMAPs**, and all requesting Curriculum Commissioners and State Board of Education members. All student print materials are to be provided to all LRDCs, CRPs and IMAPs, as stand-alone pieces.

In an effort to reduce sampling costs to publishers, we have developed the following optional sampling plans. If you select one (or more) of these options, keep in mind the importance of the IMAP and CRP members having sufficient materials to evaluate the program, and select options that you believe will best represent your program.

If you select one or more of these options, you must indicate all of the options you have chosen on the Publisher's Checklist and return the completed form by February 27, 2004. Detailed sampling instructions will be developed and forwarded to you based on requests from Curriculum Commission and State Board of Education members and the options you select. If you have not requested an optional sampling plan by February 27, 2004, you will receive instructions to provide samples of **all items** to all LRDCs, CRPs, and IMAPs and to Commissioners and State Board members as requested.

One complete set, including all submitted materials, must be provided to the California Department of Education.

<i>You may choose one or more options listed below:</i>

Option 1 – Student editions

Student editions are not provided because the teacher's editions are wraparound or the student pages are represented in the teacher's editions. (Otherwise, both student editions and teacher editions are sampled to all.)

Option 2 – Technology components

Computer software, CD-ROM, videotapes, and laser disk components are provided to all CRPs & IMAPs and only to selected LRDCs (up to 15 sites).

Option 3 – Literature kits

Literature kits are provided to all CRPs and IMAPs and to selected LRDCs (up to 15 sites) as designated by the Department. A matrix sampling plan may be suggested by the Department. LRDCs not receiving the kits will receive a list of literature or a list of art prints contained in the kits. (Otherwise, all kits will be sampled to all.)

ATTACHMENT E

California Education Code

Part 33. Instructional Materials and Testing

SECTIONS 60000-60530

SELECTED *EDUCATION CODE* SECTIONS

RELATED TO INSTRUCTIONAL MATERIALS

EDUCATION CODE
SECTIONS 60000-60530

Chapter 1. Instructional Materials

ARTICLE 1. LEGISLATIVE INTENT

60000. Legislative Intent

- (a) It is the intent and purpose of the Legislature in enacting this part to provide for the adoption and selection of quality instructional materials for use in the elementary and secondary schools.
- (b) The Legislature hereby recognizes that, because of the common needs and interests of the citizens of this state and the nation, there is a need to establish broad minimum standards and general educational guidelines for the selection of instructional materials for the public schools, but that because of economic, geographic, physical, political, educational, and social diversity, specific choices about instructional materials need to be made at the local level.
- (c) The Legislature further recognizes that the governing boards of school districts have the responsibility to establish courses of study and that they must have the ability to choose instructional materials that are appropriate to their courses of study.

60001. Adoption of basic instructional materials

For the purposes of any provision of the California Constitution that requires the adoption of textbooks for use in the elementary schools, the state board shall adopt at least five separate basic instructional materials for each grade level and each subject area as required by section 60200.

60002. Selection of instructional materials

Each district board shall provide for substantial teacher involvement in the selection of instructional materials and shall promote the involvement of parents and other members of the community in the selection of instructional materials.

60005. Curriculum frameworks and instructional materials

- (a) The Legislature finds and declares that it is in the public interest for the State Board of Education to adopt policies and procedures concerning the development of curriculum frameworks and the adoption of instructional materials only after public notice, comment by the public, and review by the Office of Administrative Law and for these policies and

procedures to be published in the California Code of Regulations. Therefore, the Legislature reaffirms that the policies and procedures concerning the development of curriculum frameworks and the adoption of instructional materials shall be adopted pursuant to Chapter 3.5 (commencing with section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

These policies and procedures include, but are not limited to, the following:

- (1) Board policies that define statutory terms.
 - (2) Board policies that prescribe the membership of committees used in the development and adoption process.
 - (3) Procedures that regulate public participation in the development of curriculum frameworks and the adoption of instructional materials.
- (b) The board shall adopt as regulations the policies and procedures concerning the development of curriculum frameworks and the adoption of instructional materials.
- (c) (1) The following shall not be subject to Chapter 3.5 (commencing with section 11340) of Part 1 of Division 3 of Title 2 of the Government Code:
- (A) The content of curriculum frameworks.
 - (B) Evaluation criteria and worksheets developed to supplement curriculum frameworks.
- (2) The board shall adopt the content of curriculum frameworks and evaluation criteria and worksheets developed to supplement curriculum frameworks in accordance with the regulations established pursuant to subdivision (b) of this section.

ARTICLE 2. DEFINITIONS

60010. Definitions

For the purpose of this part, the following terms have the following meanings unless the context in which they appear clearly requires otherwise:

- (a) “Basic instructional materials” means instructional materials that are designed for use by pupils as a principal learning resource and that meet in organization and content the basic requirements of the intended course.
- (b) “Commission” means the Curriculum Development and Supplemental Materials Commission.
- (c) “Curriculum framework” means an outline of the components of a given course of study designed to provide state direction to school districts in the provision of instructional programs.
- (d) “District board” means the board of education or governing board of any county, city and county, city, or other district that has the duty to provide for the education of the children in its county, city and county, city, or district.

- (e) “Elementary school” means all public schools in which instruction is given through grade 8 or in any one or more of those grades.
- (f) “Governing boards” means the state board and any one or more district boards.
- (g) “High school” means all public schools other than elementary schools in which instruction is given through grade 12, or in any one or more of those grades.
- (h) “Instructional materials” means all materials that are designed for use by pupils and their teachers as a learning resource and help pupils to acquire facts, skills, or opinions or to develop cognitive processes. Instructional materials may be printed or nonprinted, and may include textbooks, technology-based materials, other educational materials, and tests.
- (i) “Nonpublic school” means a school that both satisfies the requirements of section 48222, and is exempt from taxation under section 214 of the Revenue and Taxation Code.
- (j) “School official” means any member of any governing board, any city, county, city and county, or district superintendent of schools, and any principal, teacher, or other employee under his or her charge.
- (k) “State board” means the State Board of Education.
- (l) “Supplementary instructional materials” means instructional materials designed to serve, but not be limited to, one or more of the following purposes, for a given subject, at a given grade level:
 - (1) To provide more complete coverage of a subject or subjects included in a given course.
 - (2) To provide for meeting the various learning ability levels of pupils in a given age group or grade level.
 - (3) To provide for meeting the diverse educational needs of pupils with a language disability in a given age group or grade level.
 - (4) To provide for meeting the diverse educational needs of pupils reflective of a condition of cultural pluralism.
- (m) “Technology-based materials” means those basic or supplemental instructional materials that are designed for use by pupils and teachers as learning resources and that require the availability of electronic equipment in order to be used as a learning resource. Technology-based materials include, but are not limited to, software programs, videodisks, compact disks, optical disks, video and audiotapes, lesson plans, and databases. Technology-based materials do not include the equipment required to make use of those materials.
- (n) “Test” means any device used to measure the knowledge or achievement of students.

ARTICLE 3. REQUIREMENTS, MATERIALS

60040. Portrayal of cultural and racial diversity

When adopting instructional materials for use in the schools, governing boards shall include only instructional materials which, in their determination, accurately portray the cultural and racial diversity of our society, including:

- (a) The contributions of both men and women in all types of roles, including professional, vocational, and executive roles.
- (b) The role and contributions of American Indians, American Negroes, Mexican Americans, Asian Americans, European Americans, and members of other ethnic and cultural groups to the total development of California and the United States.
- (c) The role and contributions of the entrepreneur and labor in the total development of California and the United States.

60041. Ecological system; use of tobacco, alcohol, drugs and other dangerous substances

When adopting instructional materials for use in the schools, governing boards shall include only instructional materials that accurately portray, whenever appropriate:

- (a) Humanity's place in ecological systems and the necessity for the protection of our environment.
- (b) The effects on the human system of the use of tobacco, alcohol, narcotics and restricted dangerous drugs as defined in section 11032 of the Health and Safety Code, and other dangerous substances.

60042. Thrift, fire prevention and humane treatment of animals and people

When adopting instructional materials for use in the schools, governing boards shall require such materials, as they deem necessary and proper to encourage thrift, fire prevention and the humane treatment of animals and people.

60043. Declaration of Independence and Constitution of the United States

When adopting instructional materials for use in the schools, the governing board shall require, when appropriate to the comprehension of pupils, that textbooks for social science, history or civics classes contain the Declaration of Independence and the Constitution of the United States.

60044. Prohibited instructional materials

No instructional materials shall be adopted by any governing board for use in the schools which, in its determination, contains:

- (a) Any matter reflecting adversely upon persons because of their race, color, creed, national origin, ancestry, sex, handicap, or occupation.
- (b) Any sectarian or denominational doctrine or propaganda contrary to law.

60045. Accuracy, objectivity, suitability, proper grammar and spelling

- (a) All instructional materials adopted by any governing board for use in the schools shall be, to the satisfaction of the governing board, accurate, objective, and current and suited to the needs and comprehension of pupils at their respective grade levels.
- (b) With the exception of literature and trade books, all instructional materials adopted by any governing board for use in schools shall use proper grammar and spelling. The state board

may adopt regulations that provide for other allowable exceptions to this subdivision for educational purposes, as determined by the state board.

60046. Investigation of compliance

Any governing board may conduct an investigation of the compliance of any instructional materials that it adopts with the requirements of this article.

60047. Limited use of instructional materials found in violation

In the event that after the good faith acquisition of instructional materials by a governing board, the instructional materials are found to be in violation of this article and the governing board is unable to acquire other instructional materials which meet the requirements of this article in time for them to be used when the acquired materials were planned to be used, the governing board may use the acquired materials but only for that academic year.

60048. Commercial brand names, products, or logos

- (a) Basic instructional materials, and other instructional materials required to be legally and socially compliant pursuant to sections 60040 to 60047, inclusive, including illustrations, that provide any exposure to a commercial brand name, product, or corporate or company logo in a manner that is inconsistent with guidelines or frameworks adopted by the State Board of Education may not be adopted by a school district governing board.
- (b) The governing board of a school district may not adopt basic instructional materials, and other instructional materials required to be legally and socially compliant pursuant to Sections 60040 to 60047, inclusive, including illustrations, that contain a commercial brand name, product, or corporate or company logo unless the governing board makes a specific finding pursuant to the criteria set forth in paragraph (5) of subdivision (c) of Section 60200 that the use of the commercial brand name, product, or corporate or company logo in the instructional materials is appropriate.
- (c) Nothing in this section shall be construed to prohibit the publisher of instructional materials to include whatever corporate name or logo on the instructional materials that is necessary to provide basic information about the publisher, to protect its copyright, or to identify third party sources of content.
- (d) The state board may adopt regulations that provide for other allowable exceptions to this section, as determined by the state board.
- (e) The Superintendent of Public Instruction shall develop, and the State Board of Education shall adopt, guidelines to implement this section.

ARTICLE 4. REQUIREMENTS, PUBLISHERS AND MANUFACTURERS

60060. Compliance by publisher or manufacturer

Every publisher or manufacturer of instructional materials offered for adoption or sale in California shall comply with all the requirements and provisions of this part.

60061. Publisher's and manufacturer's duties

- (a) A publisher or manufacturer shall do all of the following:
- (1) Furnish the instructional materials offered by the publisher at a price in this state that, including all costs of transportation to that place, does not exceed the lowest price at which the publisher offers those instructional materials for adoption or sale to any state school district in the United States.
 - (2) Automatically reduce the price of those instructional materials to any governing board to the extent that reductions are made elsewhere in the United States.
 - (3) Provide any instructional materials free of charge in this state to the same extent as that received by any state or school district in the United States.
 - (4) Guarantee that all copies of any instructional materials sold in this state are at least equal in quality to the copies of those instructional materials that are sold elsewhere in the United States, and are kept revised, free from all errors, and up to date as may be required by the state board.
 - (5) Not in any way, directly or indirectly, become associated or connected with any combination in restraint of trade in instructional materials, or enter into any understanding, agreement, or combination to control prices or restrict competition in the sale of instructional materials for use in this state.
 - (6) Maintain a representative, office, or depository in the State of California or arrange with an independently owned and operated depository in the State of California to receive and fill orders for instructional materials.
 - (7) Provide to the state, at no cost, computer files or other electronic versions of each state-adopted literary title and the right to transcribe, reproduce, modify, and distribute the material in braille, large print if the publisher does not offer a large print edition, recordings, American Sign Language videos for the deaf, or other specialized accessible media exclusively for use by pupils with visual disabilities or other disabilities that prevent use of standard instructional materials. Computer files or other electronic versions of materials adopted shall be provided within 30 days of request by the state as needed for the purposes described in this subdivision as follows:
 - (A) Computer files or other electronic versions of literary titles shall maintain the structural integrity of the standard instructional materials, be compatible with commonly used braille translation and speech synthesis software, and include corrections and revisions as may be necessary.
 - (B) Computer files or other electronic versions of nonliterary titles, including science and mathematics, shall be provided when technology is available to convert those to a format that maintains the structural integrity of the standard instructional and is compatible with braille translation and speech synthesis software.
- (b) Upon the willful failure of the publisher or manufacturer to comply with the requirements of this section, the publisher or manufacturer shall be liable to the governing board in the amount of three times the total sum that the publisher or manufacturer was paid in excess of the price required under paragraphs (1), (2), and (5) of subdivision (a), and in the amount of three times the total value of the instructional materials and services that the governing board is entitled to receive free of charge under subdivision (a).

60061.5. Evaluation by educators, parents, teachers and students of textbooks and instructional materials; guarantee of delivery

A publisher or manufacturer shall do all of the following:

- (a) Actively solicit or make available a process through which input concerning the quality content, and usability of textbooks and instructional materials can be obtained from educators, parents, teachers, and students. Upon request of a district governing board a publisher shall provide a summation of information including both positive and critical input and their responses to the positive and critical input.
- (b) Guarantee delivery of textbooks and instructional materials prior to the opening of in the year in which the textbooks and instructional materials are to be used if they ordered by a date or dates specified in the contract with the district.

60062. School libraries

The provisions of section 60061 shall apply to the purchase of instructional materials under sections 18132 and 18171.

ARTICLE 5. PROHIBITED ACTS

60070. Requiring pupils to purchase instructional materials; prohibitions and exceptions

No school official shall require any pupil, except pupils in classes for adults to purchase any instructional material for the pupils' use in the school.

60071. Prohibited offers to influence adoption or purchase of instructional materials

No publisher or manufacturer of instructional materials, nor any of his representatives, shall offer or give any emolument, money, or other valuable thing, or any inducement, to any school official to directly or indirectly introduce, recommend, vote for, or otherwise influence the adoption or purchase of any instructional material.

60072. School officials; acceptance of consideration or inducements; prohibition

No school official shall accept any emolument, money or other valuable thing, or any inducement to directly or indirectly introduce, recommend, vote for, or otherwise influence the adoption or purchase of any instructional material.

60073. Penalty for violators; misdemeanor and removal from official position

Any publisher or manufacturer of instructional materials or his representative, or any school official who violates any of the provisions of this article is guilty of a misdemeanor. Any school official who violates any of the provisions of this article shall, in addition to any other penalty, be removed from his official position.

60074. Supplying of sample copies

Nothing in this article shall be construed to prevent any publisher, manufacturer, or agent from supplying for purposes of examination necessary sample copies of instructional materials to any school official.

60075. Receiving sample copies

Nothing in this article shall be construed to prevent a school official from receiving sample copies of instructional materials.

60076. Royalties or other compensation

Nothing contained in this article shall be construed to prohibit or restrict a school official from receiving royalties or other compensation from the publisher or manufacturer of instructional materials written, designed, or prepared by such school official, and adopted or purchased by any governing board, other than compensation paid as commission to the school official for negotiating sales to governing boards. No district shall have or claim the right to receive any such royalty or other compensation due to any school official employed by the district unless the instructional material was written or prepared during the normal school day during which the school official is required by the district to be on duty.

60090. Reports concerning instructional materials

Each district board shall make reports, whenever required, directly to the Superintendent of Public Instruction, concerning the instructional materials used in its schools.

ARTICLE 6. INSTRUCTIONAL MATERIALS ON ALCOHOL AND DRUG EDUCATION

60110. Legislative intent

It is the intent of the Legislature that the State Board of Education gives high priority to the adoption of instructional materials on alcohol, drug, and traffic safety education for classroom use by teachers and pupils. The materials shall be designed to assist the teacher in presenting instruction on alcohol, drug, and traffic safety education and to meet the needs of pupils at their respective grade levels. The materials shall be accurate, objective, and current.

60111. Information center for alcohol, drug, and traffic safety education materials

The Department of Education shall establish an information center of current alcohol, drug, and traffic safety education materials that may be used by school districts and teachers for instruction on alcohol, drug, and traffic safety education. The information center shall include, but not be limited to, all the following: current state and federal alcohol and drug laws, including those related to traffic safety; samples of effective courses of study, curriculum guides, teaching materials, and reference materials; and reports of current and school district policies related to alcohol, drug, and traffic safety education.

60115. Driver education instruction materials available; instructional funds

- (a) The State Department of Education shall assemble, coordinate, and make available to the public schools and to private driving schools in this state, upon request, for their use driver

education programs, any relevant programs, materials, and information prepared compiled by the Governor's Intergovernmental Advisory Committee on Alcohol, and Traffic Safety.

- (b) The Superintendent of Public Instruction shall allow to each school district high school, county superintendents of schools, and the Department of the Youth an amount not to exceed one dollar (\$1) per pupil instructed in driver education during preceding fiscal year. At least 50 percent of the funds received pursuant to this subdivision shall be used for the purchase of related instructional materials or for related in-service training for teachers, or both. Funds to implement this subdivision shall be provided when appropriated by the Legislature from the Driver Training Penalty Assessment Fund.

ARTICLE 7. PUPIL TEXTBOOK AND INSTRUCTIONAL MATERIALS INCENTIVE PROGRAM

60117. This article shall be known and may be cited as the Pupil Textbook and Instructional Materials Incentive Program Act.

60118. County offices of education; program funds; eligibility; allocations

County offices of education may, at their option, be eligible to receive funds pursuant to this article. Allocations to county offices of education shall be based upon prior year average daily attendance in county operated educational programs and at the average amount allocated to school districts per unit of average daily attendance. For the purposes of this article, the terms “governing board of a school district” and “governing board” are deemed to include county boards of education.

60119. Hearings; steps to ensure availability of textbooks and instructional materials

- (a) For the 1999-2000 fiscal year and each fiscal year thereafter, in order to be eligible to receive funds available for the purposes of this article, the governing board of a school district shall take the following actions:
 - (1) The governing board shall hold a public hearing or hearings at which the governing board shall encourage participation by parents, teachers, members of the community interested in the affairs of the school district, and bargaining unit leaders, and shall make a determination, through a resolution, as to whether each pupil in each school in the district has, or will have prior to the end of that fiscal year, sufficient textbooks or instructional materials, or both, in each subject that are consistent with the content and cycles of the curriculum framework adopted by the state board.
 - (2) (A) If the governing board determines that there are insufficient textbooks or instructional materials, or both, the governing board shall provide information to teachers and to the public setting forth the reasons that each pupil does not have sufficient textbooks or instructional materials, or both, and take any action, except an action that would require reimbursement by the Commission on State Mandates, to ensure that each pupil has sufficient textbooks or instructional materials, or both, within a two-year period from the date of the determination.
 - (B) In carrying out subparagraph (A), the governing board may use money in any of the following funds:

- (i) Any funds available for textbooks or instructional materials, or both, from categorical programs, including any funds allocated to school districts that have been appropriated in the annual Budget Act.
 - (ii) Any funds of the school district that are in excess of the amount available for each pupil during the prior fiscal year to purchase textbooks or instructional materials, or both.
 - (iii) Any other funds available to the school district for textbooks or instructional materials, or both.
- (b) The governing board shall provide 10 days' notice of the public hearing or hearings set forth in subdivision (a). The notice shall contain the time, place, and purpose of the hearing and shall be posted in three public places in the school district.
- (c) Except for purposes of Section 60252, governing boards of school districts that receive funds for instructional materials from any state source, are subject to the requirements of this section only in a fiscal year in which the Superintendent of Public Instruction determines that the base revenue limit for each school district will increase by at least 1 percent per unit of average daily attendance from the prior fiscal year.
- (d) The governing board of a school district is eligible to receive funds available for the purposes of this article for the 1994-95 fiscal year to the 1998-99 fiscal year, inclusive, whether or not the governing board complied with the public hearing requirement set forth in paragraph (1) of subdivision (a).

CHAPTER 2. ELEMENTARY SCHOOL MATERIALS

ARTICLE 1. SELECTION AND ADOPTION

60200. Adoption of list of basic instructional materials; submission procedures; criteria

The state board shall adopt basic instructional materials for use in kindergarten and grades 1 to 8, inclusive, for governing boards, subject to the following provisions:

- (a) The state board shall adopt at least five basic instructional materials for all applicable grade levels in each of the following categories:
 - (1) Language arts, including, but not limited to, spelling and reading.
 - (2) Mathematics.
 - (3) Science.
 - (4) Social science.
 - (5) Bilingual or bicultural subjects.
 - (6) Any other subject, discipline, or interdisciplinary areas for which the state board determines the adoption of instructional materials to be necessary or desirable.
- (b) The state board shall adopt procedures for the submission of basic instructional materials in order to comply with each of the following:

- (c) (1) Instructional materials may be submitted for adoption in any of the subject areas pursuant to paragraphs (1) to (5), inclusive, of subdivision (a) not less than two times every six years and in any of the subject areas pursuant to paragraph (6) of subdivision (a) not less than two times every eight years. The state board shall ensure that curriculum frameworks are reviewed and adopted in each subject area consistent with the six- and eight-year submission cycles and that the criteria for evaluating instructional materials developed pursuant to subdivision (b) of section 60204 are consistent with subdivision (c). The state board may prescribe reasonable conditions to restrict the resubmission of materials that have been previously rejected if those resubmitted materials have no substantive changes.
- (2) Submitted instructional materials shall be adopted or rejected within six months of the submission date of the materials pursuant to paragraph (1), unless the state board determines that a longer period of time, not to exceed an additional three months, is necessary due to the estimated volume or complexity of the materials for that subject in that year, or due to other circumstances beyond the reasonable control of the state board.
- (d) In reviewing and adopting or recommending for adoption submitted basic instructional materials, the state board shall use the following criteria, and ensure that, in its judgment, the submitted basic instructional materials meet all of the following criteria:
 - (1) Are consistent with the criteria and the standards of quality prescribed in the state board's adopted curriculum framework. In making this determination, the state board shall consider both the framework and the submitted instructional materials as a whole.
 - (2) Comply with the requirements of sections 60040, 60041, 60042, 60043, 60044, 60048, 60200.5, and 60200.6, and the state board's guidelines for social content.
 - (3) Are factually accurate and incorporate principles of instruction reflective of current and confirmed research.
 - (4) Adequately cover the subject area for the grade level or levels for which they are submitted.
 - (5) Do not contain materials, including illustrations, that provide unnecessary exposure to a commercial brand name, product, or corporate or company logo. Materials, including illustrations, that contain a commercial brand name, product, or corporate or company logo may not be used unless the board determines that the use of the commercial brand name, product, or corporate or company logo is appropriate based on one of the following specific findings:
 - (A) If text, the use of the commercial brand name, product, or corporate or company logo in the instructional materials is necessary for an educational purpose, as defined in the guidelines or frameworks adopted by the State Board of Education.
 - (B) If an illustration, the appearance of a commercial brand name, product, or corporate or company logo in an illustration in instructional materials is incidental to the general nature of the illustration.
 - (6) Meet other criteria as are established by the state board as being necessary to accomplish the intent of section 7.5 of Article IX of the California Constitution and of

section 1 of this act, provided that the criteria are approved by resolution at the time the resolution adopting the framework for the current adoption is approved, or at least 30 months prior to the date that the materials are to be approved for adoption.

- (d) If basic instructional materials are rejected, the state board shall provide a specific, written explanation of the reasons why the submitted materials were not adopted, based upon one or more of the criteria established under subdivision (c). In providing this explanation, the state board may use, in whole or in part, materials written by the commission or any other advisers to the state board.
- (e) The state board may adopt fewer than five basic instructional materials in each area for each grade level if either of the following occurs:
 - (1) Fewer than five basic instructional materials are submitted.
 - (2) The state board specifically finds that fewer than five basic instructional materials meet the criteria prescribed by paragraphs (1) to (5), inclusive, of subdivision (c), or the materials fail to meet the state board's adopted curriculum framework. If the state board adopts fewer than five basic instructional materials in any subject for any grade level, the state board shall conduct a review of the degree to which the criteria and procedures used to evaluate the submitted materials for that adoption were consistent with the state board's adopted curriculum framework.
- (f) Nothing in this section shall limit the authority of the state board to adopt materials that are not basic instructional materials.
- (g) If a district board establishes to the satisfaction of the state board that the state adopted instructional materials do not promote the maximum efficiency of pupil learning in the district, the state board shall authorize that district governing board to use its instructional materials allowances to purchase materials as specified by the state board, in accordance with standards and procedures established by the state board.
- (h) Consistent with the quality criteria for the state board's adopted curriculum framework, the state board shall prescribe procedures to provide the most and flexible materials submission system and ensure that the adopted materials in each subject, taken as a whole, provide for the educational needs of the diverse pupil populations in the public schools, provide collections of instructional materials that illustrate diverse points of view, represent cultural pluralism, and provide a broad spectrum of knowledge, information, and technology-based materials to meet the goals of the program and the needs of pupils.
- (i) Upon making an adoption, the state board shall make available to listed publishers and manufacturers and all school interests a listing of instructional materials, including the most current unit cost of those materials as computed pursuant to existing law. Items placed upon lists shall remain thereon, and be available for procurement through the state's systems of financing, from the date of the adoption of the item and until a date established by the state board. The date established by the board for continuing items on that list shall be the earlier of not more than six years from the date of adoption for instructional materials pertaining to subject areas designated in paragraphs (1) to (5), inclusive, of subdivision (a), and not more than eight years from the date of adoption for instructional materials pertaining to subject areas designated in paragraph (6) of subdivision (a), or the date on which the state board adopts instructional materials based upon a new or revised curriculum framework. Lists of adopted materials shall be made available by subject and grade level. The lists shall

terminate and shall no longer be effective on the date prescribed by the state board pursuant to this subdivision.

- (j) The state board may approve multiple lists of instructional materials, without designating a grade or subject, and the state board may designate more than one grade or subject whenever it determines that a single subject designation or a single grade designation would not promote the maximum efficiency of pupil learning. Any materials so designated may be placed on single grade or single subject lists, or multigrade or interdisciplinary lists, or may be placed on separate lists including other materials with similar grade or subject designations.
- (k) A composite listing in the format of an order form may be used to meet the requirements of this section.
- (l) The lists maintained pursuant to this section shall not be deemed to control the use period by any local district.
- (m) The state board shall give publishers the opportunity to modify instructional materials, in a manner provided for in regulations adopted by the state board, if the state board finds that the instructional materials do not comply with paragraph (5) of subdivision (c).
- (n) Nothing in this section shall be construed to prohibit the publisher of instructional materials from including whatever corporate name or logo on the instructional materials that is necessary to provide basic information about the publisher, to protect its copyright, or to identify third party sources of content.
- (o) The state board may adopt regulations that provide for other exceptions to this section, as determined by the board.
- (p) The Superintendent of Public Instruction shall develop, and the State Board of Education shall adopt, guidelines to implement this section.

60200.2. Commercial brand names, products, or logos; authorized use in instructional materials

- (a) In addition to the findings authorized under subparagraphs (A) and (B) of paragraph (5) of subdivision (c) of section 60200, if the state board finds that the use of a commercial brand name, product, or corporate or company logo in an instructional material is authorized under a contract entered into under paragraph (3) of subdivision (a) of section 35182.5 as added by Assembly Bill 117 of the 1999-2000 Regular Session, the state board may allow the use of that instructional material.
- (b) This section shall become operative only if section 35182.5 as proposed by Assembly Bill 117 of the 1999-2000 Regular Session is enacted and takes effect.

60200.4. Instructional materials; fundamental skills; adopted curriculum frameworks

- (a) The State Board of Education shall ensure that the basic instructional materials that it adopts for mathematics and reading in grades 1 to 8, inclusive, are based on the fundamental skills required by these subjects, including, but not limited to, systematic, explicit phonics, spelling, and basic computational skills.
- (b) It is the intent of the Legislature that the fundamental skills of all subject areas, including systematic, explicit phonics, spelling, and basic computational skills, be included in the

adopted curriculum frameworks and that these skills and related tasks increase in depth and complexity from year to year. It is the intent of the Legislature that the instructional materials adopted by the State Board of Education meet the provisions of this section.

60200.5. Instructional materials; objectives

Instructional materials adopted under this chapter shall, where appropriate, be designed to impress upon the minds of the pupils the principles of morality, truth, justice, patriotism, and a true comprehension of the rights, duties, and dignity of American citizenship, and to instruct them in manners and morals and the principles of a free government. The State Board of Education shall endeavor to see that this objective is accomplished in the evaluation of instructional materials for educational content in appropriate subject areas.

60200.6. Instructional materials; Dr. Martin Luther King, Jr.; civil rights movement

Instructional materials adopted pursuant to this chapter for the category of social science as specified in paragraph (5) of subdivision (a) of section 60200 shall include information designed to instruct pupils on Dr. Martin Luther King, Jr., the civil rights movement, and contributions made by ethnic minority groups to the history of United States. The state board shall ensure that the materials present the information in a manner consistent with the instruction provided in each grade level. The state board shall endeavor to see that this objective is accomplished in the evaluation of instructional materials for educational content.

60201. Biennial list of instructional materials; powers

In approving and maintaining lists of adopted instructional materials, the state board shall, pursuant to subdivision (e) of section 60200, do any one or more of the following, when applicable:

- (a) Retain any instructional materials from a previous list and biennially make any adjustment in prices based on information provided pursuant to section 60223.
- (b) Delete from the lists any instructional material which it determines is obsolete pursuant to section 60500, or which received no order from any district board during the previous two years.
- (c) Add instructional materials not previously submitted for adoption, or materials previously submitted which have been revised to comply with any recommendations of the state board.

60202. Public inspection of textbooks

Before final adoption of any instructional materials not currently listed, the state board shall make any instructional materials proposed for adoption available for public inspection for not less than 30 days at display centers designated by the Superintendent of Public Instruction. There shall be an adequate distribution of display centers throughout the state.

60203. Public hearings

The state board shall give the commission a public hearing before making any adoption of instructional materials for use in the elementary schools of the state.

60204. Commission's duties

The commission shall:

- (a) Recommend curriculum frameworks to the state board.
- (b) Develop criteria for evaluating instructional materials submitted for adoption so that the materials adopted shall adequately cover the subjects in the indicated grade or grades and which comply with the provisions of Article 3 (commencing with section 60040) of Chapter 1. The criteria developed by the commission shall be consistent with the duties of the state board pursuant to section 60200. The criteria shall be public information and shall be provided in written or printed form to any person requesting such information.
- (c) Study and evaluate instructional materials submitted for adoption.
- (d) Recommend to the state board instructional materials that it approves for adoption.
- (e) Review and have the authority to adopt the educational films or videotapes produced in accordance with Article 3 (commencing with section 52740) of Chapter 11 of Part 28.
- (f) Recommend to the state board policies and activities to assist the Department and districts in the use of the curriculum framework and other available model curriculum materials for the purpose of guiding and strengthening the quality of instruction in the public schools.

60206. Regulations

The state board may adopt appropriate regulations to implement this chapter. These regulations may include a procedure to review district invoices for instructional materials purchases made pursuant to subdivision (b) of section 60242.

ARTICLE 2. DUTIES OF PUBLISHERS AND MANUFACTURERS

60220. Compliance with provisions

All publishers and manufacturers submitting instructional materials for adoption by the state board shall comply with the provisions of Article 1 (commencing with section 60000) to Article 7 (commencing with section 60100), inclusive, of this part.

60221. Sample Copies

Publishers and manufacturers submitting instructional materials for adoption shall provide sample copies of such materials in quantities to be determined by the state board.

60222. Submission of specifications

Publishers and manufacturers, at a time designated by the state board, shall submit detailed specifications of the physical characteristics of that material. The publisher or manufacturer shall comply with those specifications if the material is adopted and purchased in completed form by the state board or any district board. Changes in specifications may be made when approved by the state board and the publisher or manufacturer.

60223. Revisions to price schedules

Publishers and manufacturers may biennially submit revisions to price schedules submitted pursuant to subdivision (a) of section 60201.

60225. In-service training or professional development

As agreed upon by publishers and school districts, publishers may provide in-service training or professional development in the use of the instructional materials provided by them.

60226. Improvement of quality and reliability

Publishers and manufacturers shall, in accordance with rules and regulations adopted by the state board, develop plans to improve the quality and reliability of instructional materials through learner verification. District boards shall be encouraged to permit publishers and manufacturers to have limited access to classrooms for necessary testing and observation. Publishers and manufacturers shall provide copies of test results and evaluations made as part of learner verification at the request of any governing board.

ARTICLE 3 – STATE INSTRUCTIONAL MATERIALS FUND

60240. Continued existence of fund; continuous appropriation; administration; encumbrance of fund

- (a) The State Instructional Materials Fund is hereby continued in existence in the Treasury. The fund shall be a means of annually funding the acquisition of materials as required by the Constitution of the State of California. Section 13340 of the Government Code, all money in the fund is continuously to the State Department of Education without regard to fiscal

years for carrying out purposes of this part. It is the intent of the Legislature that the fund shall provide flexibility of instructional materials, including classroom library materials.

- (b) The State Department of Education shall administer the fund under policies established by the state board.
- (c)
 - (1) The state board shall encumber part of the fund to pay for accessible instructional materials pursuant to Sections 60312 and 60313 to accommodate pupils who visually impaired or have other disabilities and are unable to access the curriculum.
 - (2) The state board may encumber funds, in an amount not to exceed two hundred thousand dollars (\$200,000), for replacement of instructional materials, obtained by a school district with its allowance that are lost or destroyed by reason of fire, theft, natural disaster, or vandalism.
 - (3) The state board may encumber funds for the costs of warehousing and transporting instructional materials it has acquired.

60242. Encumbrance of funds; purposes

- (a) The state board shall encumber the fund for the purpose of establishing an allowance for each school district, which may reflect increases or decreases in enrollment, that the district may use for the following purposes:
 - (1) To purchase instructional materials adopted by the state board pursuant to Section 60200 for kindergarten and grades 1 to 8, inclusive, or by the governing board pursuant to Section 60400 for grades 9 to 12, inclusive.
 - (2) To purchase, at the district's discretion, instructional materials, including, but not limited to, supplementary instructional materials and technology-based materials, from any source.
 - (3) To purchase tests.
 - (4) To bind basic textbooks that are otherwise usable and are on the most recent list of basic instructional materials adopted by the state board and made available pursuant to Section 60200.
 - (5) To fund in-service training related to instructional materials.
 - (6) To purchase classroom library materials for kindergarten and grades 1 to 4, inclusive.
- (b) The state board shall specify the percentage of a district's allowance that is authorized to be used for each of the purposes identified in subdivision (a).
- (c) Allowances established for school districts pursuant to this section shall be apportioned in September of each fiscal year.
- (d)
 - (1) A school district that purchases classroom library materials, shall, as a condition of receiving funding under this article, develop a districtwide classroom library plan for kindergarten and grades 1 to 4, inclusive, and shall receive certification of the plan from the governing board of the school district. A school district shall include in the plan a means of preventing loss, damage, or destruction of the materials.

- (2) In developing the plan required by paragraph (1), a school district is encouraged to consult with school library media teachers and primary grade teachers and to consider selections included in the list of recommended books established pursuant to Section 19336. If a school library media teacher is not employed by the school district, the district is encouraged to consult with a school library media teacher employed by the local county office of education in developing the plan. A charter school may apply for funding on its own behalf or through its chartering entity. Notwithstanding Section 47610, a charter school applying on its own behalf is required to develop and certify approval of a classroom library plan.
- (3) To the extent that a school district, county office of education, or charter school already has a plan meeting the criteria specified in paragraphs (1) and (2), no new plan is required to establish eligibility.

60242.5. Deposit and use of allowances; confirmation of purchases to law, rules, and regulations

Allowances received by districts pursuant to subdivisions (a) and (b) of Section 60242 shall be deposited into a separate account as specified by the Superintendent of Public Instruction. These allowances, including any interest generated by them, shall be used only for the purchase of instructional materials, tests, classroom library materials, or in-service training pursuant to subdivisions (a) and (b) of Section 60242. Interest posted to the account shall be based upon reasonable estimates of monthly balances in the account and the average rate of interest earned by other funds of the district.

All purchases of instructional materials made with funds from this account shall conform to law and the applicable rules and regulations adopted by the state board, and the district superintendent shall provide written assurance of conformance to the Superintendent of Public Instruction. The Superintendent of Public Instruction may withhold the allowance established pursuant to Section 60242 for any district which has failed to file a written assurance for the prior fiscal year. The Superintendent of Public Instruction may restore the amount withheld once the district provides the written assurance.

The Controller, in cooperation with the State Department of Education, shall include procedures to review compliance with this section in its independent audit instructions.

60245. Fiscal yearend unexpended balance

The fiscal yearend unexpended balance of any cash allotment of any district board shall be separately encumbered for the district board and shall be separately carried over into the subsequent fiscal year for their respective uses by the district board.

60246. Transfer from General Fund; annual adjustments

- (a) The Controller shall, during each fiscal year, commencing with the 1983-84 fiscal year transfer from the General Fund of the state to the State Instructional Materials Fund, an amount of twenty-one dollars and eighteen cents (\$21.18) per pupil in the average daily attendance in the public elementary schools during the preceding fiscal year, as certified by the Superintendent of Public Instruction, except that this amount shall be adjusted annually through and including fiscal year 1987-88, in conformance with the Consumer Price all items, of the Bureau of Labor Statistics of the United States Department of measured for

the calendar year next preceding the fiscal year to which it applies. Commencing with the 1990-91 fiscal year, the amount shall be adjusted annually by an amount equal to the percentage change determined pursuant to subdivision (b) of 42238.1.

- (b) The amount transferred pursuant to subdivision (a) includes the designated percentage of the cash entitlements to be used to pay for unadopted state materials, tests, and in-service training.
- (c) This section shall become inoperative on January 1, 2003, and, as of January 1, 2007, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2007, deletes or extends the dates on which it becomes inoperative and is repealed.

60246.5. Transfer from General Fund to State Instructional Materials Fund for kindergarten and grades 1 to 8

- (a) The Controller shall, during each fiscal year, commencing with the 2002-03 fiscal transfer from the General Fund to the State Instructional Materials Fund for instructional materials for kindergarten and grades 1 to 8, inclusive, the amount to be allocated pursuant to Section 60421.
- (b) The amount transferred pursuant to subdivision (a) includes the designated percentage of the cash entitlements to be used to pay for unadopted state materials, tests, classroom library materials, and in-service training.

60247. Annual apportionment; per pupil rate

- (a) The Superintendent of Public Instruction shall annually apportion to each school district the sum of fourteen dollars and forty-one cents (\$14.41) per pupil enrolled in grades 9 to 12, inclusive, in the school district in the prior fiscal year for the purpose of instructional materials for the pupils enrolled in those grades.
- (b) This section shall become inoperative on January 1, 2003, and, as of January 1, 2007, repealed, unless a later enacted statute, that becomes operative on or before January 1, 2007, deletes or extends the dates on which it becomes inoperative and is repealed.

60247.5. Transfer from General Fund to State Instructional Materials Fund for grades 9 to 12

The Controller shall, during each fiscal year, commencing with the 2002-03 fiscal year, transfer from the General Fund to the State Instructional Materials Fund for instructional materials for grades 9 to 12, inclusive, the amount to be allocated pursuant to Section 60421.

60248. Restrictions on use of funds

The governing board of a school district shall use the funds apportioned pursuant to Sections 60247 and 60247.5 solely for the purchase of instructional materials for pupils in grades 9 to 12, inclusive. Textbooks purchased with these funds shall be adopted in accordance with Section 60400.

60251. Funds recovered from publishers as a result of proceedings; allocation

The Superintendent of Public Instruction may allocate to school districts, funds that were recovered from publishers and deposited into the Instructional Materials Fund as result of proceedings against the publishers.

60251.5. Appropriations increases; transfer of percentage of increase to Pupil Textbook and Instructional Materials Incentive Account

For any fiscal year in which the amount of the moneys appropriated to the State Instructional Materials Fund exceeds the sum of the amount that was appropriated to that fund in the prior fiscal year plus any amounts appropriated in the current fiscal year for instructional materials pursuant to section 42238.15, an amount that is not less than 50 percent of the difference shall be transferred to the Pupil Textbook and Instructional Materials Incentive Account that exists in the State Instructional Materials Fund.

60252. Pupil Textbook and Instructional Materials Incentive Account; criteria for use of funds

- (a) The Pupil Textbook and Instructional Materials Incentive Account is hereby created in State Instructional Materials Fund, to be used for the Pupil Textbook and Materials Incentive Program set forth in Article 7 (commencing with Section 60117) of Chapter 1. All money in the account shall be allocated by the Superintendent of Public Instruction to school districts maintaining any kindergarten or any of grades 1 to inclusive, that satisfy each of the following criteria:
 - (1) A school district shall provide assurance to the Superintendent of Public Instruction the district has complied with Section 60119.
 - (2) A school district shall ensure that the money will be used to carry out its compliance with Section 60119 and shall supplement any state and local money that is expended on textbooks or instructional materials, or both.
- (b) The superintendent shall ensure that each school district has an opportunity for funding per pupil based upon the district's prior year base revenue limit in relation to the prior year statewide average base revenue limit for similar types and sizes of districts. Districts below the statewide average shall receive a greater percentage of state funds, and districts above the statewide average shall receive a smaller percentage of state funds, in an amount equal to the percentage that the district's base revenue limit varies from the statewide average. Any district with a base revenue limit that equals or exceeds 200 percent of the statewide average shall not be eligible for state funding under this section.
- (c) This section shall become inoperative on January 1, 2003, and, as of January 1, 2007, is repealed, unless a later enacted statute that becomes operative on or before January 1, 2007, deletes or extends the dates on which it becomes inoperative and is repealed.

ARTICLE 6. OTHER USES (Note Articles 4 & 5 have been repealed)

60310. Individuals or organizations who may order from lists

The following individuals or organizations may order instructional materials from lists adopted by the state board:

- (a) The head of any state institution offering instruction in the elementary grades, or giving instruction in the teaching of elementary subjects.
- (b) Governing boards or nonpublic schools.
- (c) Individuals for use only in California.

The materials shall be purchased at the unit cost determined pursuant to subdivision (b) of section 60222.

60312. Availability of textbooks and other print materials in media accessible to pupils with visual impairments

The state board shall make available copies of adopted textbooks and other state adopted print materials in large print and other accessible media for pupils enrolled in the elementary schools whose visual acuity is 10/70 or less or who have other visual impairments making the use of these textbooks and alternate formats necessary. The state board shall make available adopted textbooks in braille characters for pupils enrolled in elementary schools whose corrected visual acuity is 20/200 or less. The state board may purchase or contract for the development of those materials.

60313. Central clearinghouse-depository and duplication center for specialized items

- (a) The Superintendent of Public Instruction shall maintain a central clearinghouse-depository and duplication center for the design, production, modification, and distribution of Braille, large print, special recordings, and other accessible versions of instructional materials for use by pupils with visual impairments or other disabilities who are enrolled in the public schools of California.
- (b) Assistive devices placed in the depository shall consist of items designed for use by pupils with visual impairments.
- (c) The instructional materials in specialized media shall be available, in a manner determined by the State Board of Education, to other pupils with disabilities enrolled in the public schools of California who are unable to progress in the general curriculum using conventional print copies of textbooks and other study materials.
- (d) The specialized textbooks, reference books, recordings, study materials, tangible apparatus, equipment, and other similar items shall be available for use by students with visual impairments enrolled in the public community colleges, the California State University, and the University of California.

CHAPTER 3. HIGH SCHOOL TEXTBOOKS

60400. Adoption

The district board of each district maintaining one or more high schools shall adopt textbooks for use in the high schools under its control. Only textbooks of those publishers who comply with the requirements of Article 3 (commencing with section 60040) and Article 4 (commencing with section 60060) of Chapter 1 of this part and of section 60226 may be adopted by the district board.

60410. Pupils in classes for adults

The district board of each high school district may fix a charge not to exceed the cost of the books to the high school district for books furnished pupils in classes for adults. In lieu of fixing such charge, the board may lend books to such pupils and require the making of deposits by the pupils, the amount of deposit made by a pupil to be refunded to him upon the return by him of the books lent him in good condition, reasonable wear and tear excepted.

60411. Purchase and use

The district board of each high school district shall purchase textbooks and may purchase supplementary books for the use of pupils enrolled in the high schools of the district. The textbooks and supplementary books shall at all times remain the property of the district, and shall be supplied to the pupils for use without charge.

CHAPTER 3.25 INSTRUCTIONAL MATERIALS FUNDING REALIGNMENT PROGRAM

60420. Establishment of Program

The Instructional Materials Funding Realignment Program is hereby established and shall be administered by the Superintendent of Public Instruction.

60421. Apportionment of funds; "school district" defined

- (a) The State Department of Education shall apportion funds appropriated for purposes of this chapter to school districts on the basis of an equal amount per pupil enrolled in kindergarten and grades 1 to 12, inclusive, in the prior year, excluding summer school, adult, and regional occupational center and regional occupational programs enrollment. Enrollment shall be certified by the Superintendent of Public Instruction and based on data as reported by the California Basic Education Data System count. A school district or charter school in its first year of operation or of expanding grade levels at a schoolsite shall be eligible to receive funding pursuant to this chapter based on enrollment estimates provided to the State Department of Education by the school district or charter school. As a condition of receipt of funding, a school district or charter school in its first year of operation or of expanding grade levels at a schoolsite shall provide enrollment estimates, as approved by the school district governing board or charter school's charter-granting local educational agency and the county office of education in which the school district or charter school's charter-granting agency is located. These estimates and associated funding shall be adjusted for actual enrollment as reported by the subsequent California Basic Education Data System.
- (b) For the purposes of this chapter, the term "school district" means a school district, county office of education, or charter school, and the term "local governing board" means the governing board of a school district, county board of education, or governing body of a charter school.
- (c) Allowances established pursuant to this chapter shall be apportioned to school districts in September of each fiscal year.

- (d) Notwithstanding any other provision of law, pursuant to subdivision (g) of Section 60200, the State Board of Education may authorize a school district to use any state basic instructional materials allowance to purchase standards-aligned materials as specified within this part.

60422. Providing Pupils with standards-aligned textbooks or basic instructional materials; certification of compliance; time to meet purchasing requirements

- (a) A local governing board shall use funding received pursuant to this chapter to ensure that each pupil is provided with a standards-aligned textbook or basic instructional materials, as adopted by the State Board of Education subsequent to the adoption of content standards pursuant to Section 60605 for kindergarten and grades 1 to 8, inclusive, or as adopted by the local governing board pursuant to Sections 60400 and 60411, for grades 9 to 12, inclusive. Pupils shall be provided with standards-aligned textbooks or basic instructional materials by the beginning of the first school term that commences no later than 24 months after those materials were adopted by the State Board of Education.
- (b) Once a governing board certifies compliance with subdivision (a) with regard to standards aligned instructional materials in the core curriculum areas of reading/language arts, mathematics, science, and history/social sciences, and if the governing board of a school district has met the eligibility requirements of Section 60119, the remaining funds may only be used consistent with subdivision (a) of Section 60242 and pursuant to Section 60242.5.
- (c) The State Board of Education may grant the school district additional time to meet the purchasing requirements of subdivision (a) if the governing board of the school district demonstrates, to the satisfaction of the state board, that all of the following criteria apply to the district:
 - (1) The school district has implemented a well-designed, standards-aligned basic instructional materials program.
 - (2) The school district, at the time of its request for additional time pursuant to this subdivision, has sufficient textbooks or basic instructional materials for use by each pupil.
 - (3) The school district has adopted a plan for the purchase of standards-aligned instructional materials in accordance with subdivision (a) but that plan indicated an alternative date for compliance that is declared in the request for additional time.
- (d) The funds provided for the purchase of instructional materials in Schedules 1 and 2 of Item 6110-189-0001 and paragraph 6 of Item 6110-485 of Section 2.00 of the Budget Act of 2002 shall be used for the purposes of, and allocated consistent with, this chapter.

60423. AB2519 adoption

- (a) Notwithstanding Section 60422 or any other law, for the 2002-03 and 2003-04 fiscal years only, a requirement that the governing board of a school district provide a pupil with standards-aligned instructional materials, as adopted by the State Board of Education subsequent to the adoption of content standards pursuant to Section 60605 for kindergarten and grades 1 to 8, inclusive, may be satisfied if the governing board of a school district

provides a pupil with standards-aligned instructional materials that were adopted by the State Board of Education pursuant to Chapter 481 of the Statutes of 1998.

- (b) This section shall be in effect only until July 1, 2004, and as of that date is repealed, unless a later enacted statute, which is enacted before July 1, 2004, deletes or extends that date.

60424. Administration and duration of chapter

This chapter shall be administered for purposes of funding as if it had been in effect at the beginning of the 2002-03 fiscal year. This chapter shall become inoperative on July 1, 2007, and, as of January 1, 2008, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2008, deletes or extends the dates on which it becomes operative and is repealed.

AB 166 – Chapter 573, Statutes of 2003 Chaptered 09/29/03

- 60422.1. (a) Notwithstanding subdivision (a) of Section 60422, a local governing board shall use funding received pursuant to this chapter to ensure pupils are provided with standards-aligned textbooks or basic instructional materials by the beginning of the first school term that commences no later than 36 months after those materials are adopted by the State Board of Education.
- (b) This section shall remain in effect only until June 30, 2005, and as of that date is repealed, unless a later enacted statute, that is enacted before June 30, 2005, deletes or extends that date.

SEC. 20. Section 60423 of the Education Code is amended to read:

- 60423. (a) Notwithstanding Section 60422 or any other law, for the 2002-03, 2003-04, and 2004-05 fiscal years only, a requirement that the governing board of a school district provide a pupil with standards-aligned instructional materials, as adopted by the State Board of Education subsequent to the adoption of content standards pursuant to Section 60605 for kindergarten and grades 1 to 8, inclusive, may be satisfied if the governing board of a school district provides a pupil with standards-aligned instructional materials that were adopted by the State Board of Education pursuant to Chapter 481 of the Statutes of 1998.
- (b) This section shall be in effect only until July 1, 2005, and as of that date is repealed, unless a later enacted statute, which is enacted before July 1, 2005, deletes or extends that date.

Chapter 3.5 The Schiff-Bustamante Standards-Based Instructional Materials Program

60450. Short title; legislative intent

- (a) This act shall be known and may be cited as the Schiff-Bustamante Standards-Based Instructional Materials Program.

- (b) It is the intent of the Legislature that school districts use the resources provided pursuant to this chapter and any other available resources to ensure that pupils in kindergarten and grades 1 to 12, inclusive, be provided with instructional materials in the core curriculum areas of language arts, mathematics, history/social science, and science that are aligned with state content standards as adopted by the State Board of Education pursuant to section 60605 in 1997 and 1998. It is further the intent of the Legislature that the funding provided pursuant to this chapter supplement and not supplant funding for instructional materials provided from other sources.

60450.1. State Content Standards; instructional materials purchase requirements

- (a) Each school district that receives resources under this chapter or any other resources for the purposes of this chapter shall purchase instructional materials for pupils in kindergarten and grades 1 to 12, inclusive, that are aligned with state content standards in language arts, mathematics, history/social science, or science, as adopted by the State Board of Education pursuant to Section 60605, within two years of the date of the adoption of the materials by the State Board of Education.
- (b) The purchasing requirements of subdivision (a) are not intended to impair contracts entered into on or before January 1, 2002, for the purchase of instructional materials that are not aligned with the content standards described in subdivision (a), or to apply to the purchase of instructional materials needed to maintain sets of instructional materials purchased prior to the adoption of those content standards.
- (c) The State Board of Education may grant an extension for meeting the purchasing requirement of subdivision (a) if the governing board of the school district demonstrates to the State Board of Education that it meets all of the following requirements:
 - (1) The school district has implemented a well-designed, standards-aligned instructional materials program.
 - (2) The school district currently has sufficient textbooks or instructional materials for use by each pupil.
 - (3) The school district has adopted a plan for the eventual expenditure of funds to purchase the instructional materials in the core subject areas referred to in subdivision (a).
- (d) The State Board of Education shall provide guidelines and establish deadlines for the submission of requests for an extension pursuant to subdivision (c).
- (e) A school district shall report to the Superintendent of Public Instruction any resources received under this chapter that have not been used pursuant to this section within two years of their receipt by the school district. The Superintendent of Public Instruction may offset future apportionments of instructional materials funding in order to recover the unspent funds reported pursuant to this subdivision.
- (f) It is the intent of the Legislature that local education agencies shall not carry over any funds in accounts appropriated for the purchase of instructional materials beyond two fiscal years from the completion of a full instructional materials adoption cycle by the State Board of Education.

60450.5. Allocation of funds

- (a) The State Department of Education shall apportion funds appropriated for purposes of this chapter on the basis of an equal amount per pupil enrolled in public elementary schools and high schools, excluding summer school, adult, and regional occupational program and center enrollment, during the preceding fiscal year, as certified by the Superintendent of Public Instruction based on California Basic Education Data System (CBEDS) data. This method of allocation, using enrollment instead of average daily attendance, shall not be construed as a precedent for future allocation methods for instructional materials or for any other education program.
- (b) For the purposes of this chapter, the term “school districts” means school districts, county offices of education, and charter schools, and the term “local governing board” means the governing board of a school district, the county board of education, or the governing body of a charter school.

60451. Expenditures; criteria

Each school district shall expend funds received pursuant to this chapter for the sole purpose of purchasing instructional materials in the core curriculum that are aligned to content standards for pupils in kindergarten and grades 1 to 12, inclusive, that meet all of the following requirements:

- (a) The instructional materials are aligned with content standards adopted by the State Board of Education in 1997 or 1998.
- (b) The instructional materials for pupils in kindergarten and grades 1 to 8, inclusive, have been adopted by the State Board of Education pursuant to Chapter 2 (commencing with section 60200) of Part 33, using criteria aligned to the adopted content standards.
- (c) The instructional materials for pupils in grades 9 to 12, inclusive, are basic instructional materials, as defined in subdivision (a) of section 60010, that have been reviewed and approved, through a resolution adopted by the local governing board, as being aligned with the content standards adopted by the State Board of Education in 1997 or 1998.
- (d) Prior to purchase, publishers shall be required to submit grade level content standards maps to local districts so that the districts can determine the extent to which instructional materials or combination of instructional materials for pupils in grades 9 to 12, inclusive, are aligned to the content standards adopted by the State Board of Education. The standards maps shall be filled out and distributed free of charge by the publisher using standards maps developed by the State Department of Education and approved by the State Board of Education by July 1, 2003.

60451.5. Contents standards for purchases; priorities

- (a) Each school district that receives funds pursuant to this chapter shall purchase instructional materials aligned to language arts, mathematics, history/social science, or science content standards from funds appropriated for this purpose in the Budget Act of 1998 or the act that adds this chapter. Priority shall be given to the purchase of mathematics instructional materials.
- (b) Each school district that receives funds pursuant to this chapter shall purchase instructional materials aligned to content standards in language arts, mathematics, history/social science,

or science from funds appropriated in the 1999-2000 fiscal year and the two subsequent fiscal years for the purposes of this chapter.

60452. Deposits; purchases; compliance requirements

- (a) Allowances received by school districts pursuant to this chapter shall be deposited into a separate account as specified by the Superintendent of Public Instruction. These allowances, including any interest generated by them, shall be used only for the purchase of instructional materials pursuant to this chapter. Interest posted to the account shall be based upon reasonable estimates of monthly balances in the account and the average rate of interest earned by other funds of the school district.
- (b) All purchases of instructional materials made with funds from this account shall conform to law and the applicable rules and regulations adopted by the State Board of Education, and the superintendent of a school district that purchases instructional materials with these funds shall provide written assurance of this conformance to the Superintendent of Public Instruction. Commencing September 1, 1999, the Superintendent of Public Instruction shall withhold the allowance established pursuant to section 60452.5 from any school district that has failed to file a written assurance for the prior fiscal year. The Superintendent of Public Instruction may restore the amount withheld once the school district provides the written assurance.
- (c) The office of the Controller, in cooperation with the State Department of Education, shall include procedures to review compliance with this section in its independent audit instructions.

60452.5. Appropriation; allocation of funds

- (a) In each of the fiscal years from 1999-2000 to 2001-02, inclusive, the sum of two hundred fifty million dollars (\$250,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation to school districts pursuant to this chapter. All funds appropriated for the purposes of this chapter shall be allocated on the basis of an equal amount per pupil enrolled in public elementary schools and high schools, as set forth in section 60450.5, and as reported for the year prior to the allocation of funds.
- (b) For the purposes of making the computations required by section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of section 41202 of the Education Code, for the 1999-2000, 2000-01, and 2001-02 fiscal year, as appropriate, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of section 41202 of the Education Code, for the 1999-2000, 2000-01, and 2001-02 fiscal year.
- (c) The allocation made pursuant to subdivision (a) shall be made no later than October 1 of each fiscal year.

60453. Inoperative dates and repeal

Because funds appropriated in the 2001-02 fiscal year for purposes of this chapter remain available for expenditure through the 2002-03 fiscal year pursuant to subdivision (f) of Section 60450.1, this chapter shall become inoperative on June 30, 2003, and as of January 1, 2004, is repealed, unless a later enacted statute, which is enacted before January 1, 2004, deletes or extends the dates on which it becomes inoperative and is repealed.

CHAPTER 4. OBSOLETE MATERIALS

ARTICLE 1. DETERMINATION OF OBSOLESCENCE

60500. Standards for determination of obsolescence and usability

For the purposes of this chapter, governing boards shall adopt rules, regulations and procedures for prescribing standards for determining when instructional materials adopted by them and either loaned by them or in their possession are obsolete, and if such materials are usable or unusable for educational purposes.

60501. Review of instructional materials; report

A school district may review instructional materials to determine when those materials are obsolete pursuant to the rules, regulations, and procedures adopted pursuant to section 60500 and may report the results of its review and staff recommendations at a public meeting of the school district governing board.

ARTICLE 2. DONATION OR SALE

60510. Disposal of surplus or undistributed obsolete instructional materials

The state board, the governing board of any school district that employs a superintendent of schools, and other school districts with the approval of the county superintendent of schools, may dispose of surplus or undistributed obsolete instructional materials in their possession that are usable for educational purposes in any of the following ways:

- (a) By donation to any governing board, county free library or other state institution.
- (b) By donation to any public agency or institution of any territory or possession of the United States, or the government of any country that formerly was a territory or possession of the United States.
- (c) By donation to any nonprofit charitable organization.
- (d) By donation to children or adults in the State of California, or foreign countries for the purpose of increasing the general literacy of the people.
- (e) By sale to any organization that agrees to use the materials solely for educational purposes.

60510.5. Disposal of instructional materials; prior notice and opportunity for hearing; inapplicability of section

- (a) Prior to the disposition by a school district of any instructional materials pursuant to section 60510, the school district governing board is encouraged to do both of the following:

- (1) No later than 60 days prior to that disposition, notify the public of its intention to dispose of those materials through a public service announcement on a television station in the county in which the district is located, a public notice in a newspaper of general circulation published in that county, or any other means that the governing board determines to reach most effectively the entities described in subdivisions (a) to (e), inclusive, of section 60510.
 - (2) Permit representatives of the entities described in subdivisions (a) to (e), inclusive, of section 60510 and members of the public to address the governing board regarding that disposition.
- (b) This section does not apply to any school district that, as of January 1, 1992, had in operation a procedure for the disposition of instructional materials pursuant to section 60510.

60511. Requirements of recipients

Any organization, agency or institution receiving obsolete instructional materials under the provisions of this article must certify to the governing board that it agrees to use the materials for educational purposes and agrees to make no charge of any kind to the persons to whom the organization gives or lends such materials.

ARTICLE 3. DISPOSITION OF SALE PROCEEDS

60520. Proceeds received by state board; deposit in State Instructional Materials Fund

Any money received by the state board from the sale of obsolete instructional materials pursuant to this chapter shall be deposited in the State Instructional Materials Fund.

60521. Proceeds received by governing board; purchase of instructional materials

Any money received by the governing board of a school district from the sale of instructional materials pursuant to this code shall be used to purchase instructional materials.

ARTICLE 4. DESTRUCTION

60530. Unusable surplus, undistributed obsolete instructional materials, and usable but undistributable materials

The state board, any district board which employs a superintendent of schools, and other school districts with the approval of the county superintendent of schools may dispose of unusable surplus or undistributed obsolete instructional materials, or such materials which are usable but cannot be distributed pursuant to section 60510 in any of the following ways:

- (a) Mutilated as not to be salable as instructional materials and sold for scrap or for use in the manufacture of paper pulp or other substances at the highest price that can be obtained.
- (b) Destroyed by any economical means, provided that no instructional material shall be destroyed until 30 days after the governing board has given notice to all persons who have filed a request for such notice.

ATTACHMENT F

Sample Copy of “Price Quotation on Instructional Materials” Form

G250 GLENCOE/MCGRAW HILL

Material Type: Newly Submitted Materials
Subject: 06 Health

Contact Name	Typed Name and Title of Officer		
Title	Signature of Officer		
(Area Code) Phone #	Ca Sales Tax Permit No. or "None"	Date	

[illegible]

ATTACHMENT G

Schedule for Curriculum Framework Development and Adoption of K-8 Instructional Materials

Schedule for Curriculum Framework Development and Adoption of K–8 Instructional Materials															
Calendar Year		99	00	01	02	03	04	05	06	07	08	09	10	11	12
Have Content Standards and SBE adopted Instructional Resources	History-Social Science	A		F		a* c		A			F a			A	
	Science	c	A		F	a*	c		A			F a			A
	Mathematics	c (A)		A			a F c			A			F a		
	Reading/Language Arts/ELD	c (A)			A		a	F c			A		a	F	
Has standards, SBE adopted materials, but no statewide assessment	Visual & Performing Arts					a* F c			A			a		F	
No standards but have SBE adopted Instructional Resources	Foreign Language			F c		A			a			F c			A
	Health				F c		A			a			F		
No standards or SBE adopted Instructional Resources	Physical Education						F								F

(A) = AB2519 Additional Adoptions Process**

A = Primary Adoption

a = Follow-up Adoption

F = Framework

f = Framework update

c = Evaluation Criteria

SBE = State Board of Education

ELD = English Language Development

* These adoptions will remain suspended pending action by the Governor to restore funding.

** The AB2519 Adoptions were appended to existing timelines; the 2519 Mathematics list expires in 2003, while the 2519 Reading/Language Arts list expires in 2005.

ATTACHMENT H

Instructional Materials Funding Chart

**Funding for the Purchase of Instructional Materials
and School Library Materials
Fiscal Year 2003-2004**

Funding Source/Budget Act Item Number	2003-04 Funding	Program Description
Instructional Materials Funding Realignment Program (IMFRP), K-12 Budget Item 6110-189-0001, Schedule 1	\$175 million to be allocated based on October 2002 CBEDS enrollment, approximately \$28.00 per pupil	<p>The Instructional Materials Funding Realignment Program (IMFRP) consolidates funding for instructional materials, grades K-12. AB1781 established the IMFRP (<i>Education Code</i> Sections 60420-60424) to provide for the allocation of funds contained in the annual budget.</p> <p>For charter schools, IMFRP funding replaces the funds for instructional materials that were previously included as part of the categorical block grant component of the charter school funding model. Therefore, charter schools that receive IMFRP funds are required to comply with all of the requirements of AB 1781 as described here.</p> <p>For more information on IMFRP go to: <www.cde.ca.gov/cfir/imfrp></p>
Proposition 20 Lottery Funds	\$11 per ADA estimated revenues for 2003-04	Proposition 20 provides that 50% of any growth in statewide lottery funds are allocated for the purchase of instructional materials.
School Library Act Funding, K-12 Budget items 6110-101-0975, 6110-485-0001 [6] and 6110-149-0001	\$8.8 million total funding allocated based on October 2002 CBEDS enrollment, approximately \$1.41 per pupil	Funding is provided for the acquisition of school library resources, equipment to provide access to library resources, and library automation. Materials purchased with these funds shall be circulated from, or used in, the school library media center. New or revised district-wide library plan required. (Note: the Classroom Library Materials Act was repealed by AB1781.)

ATTACHMENT I

Learning Resources Display Centers

Learning Resources Display Centers (LRDCs) Sampling List

Send samples and correspondence to each LRDC address below, except those addresses that state "Correspondence Only" or "Samples Only."

Peg Gardner, LRDC #1
Humboldt County Office of Education
901 Myrtle Avenue
Eureka, CA 95501
(707) 445-7077/FAX (707) 445-7073

Gladys Frantz, LRDC #2
Alameda County Office of Education
313 West Winton Avenue
Hayward, CA 94544
(510) 670-4235/FAX (510) 670-4207

Bob Benoit LRDC #3
Attention: Jo Ann Fox
Butte County Office of Education
5 County Center Drive
Oroville, CA 95965
(530) 532-5814/FAX (530) 532-5828

• Linda Perry, LRDC #5
Attention: Monique Shepard
Sacramento County Office of Education
10474 Mather Blvd.
Mather, CA 95655
(916) 228-2351/FAX (916) 228-2360

Karen Elizabeth Smith LRDC #6
Sonoma County Office of Education
5340 Skylane Blvd.
Santa Rosa, CA 95403-1082
(707) 524-2837/FAX (707) 578-0220

V. Ruth Smith, LRDC #8
Stanislaus County Office of Education
1100 H Street
Modesto, CA 95354
(209) 525-4990/FAX (209) 525-6630

Janie Rocheford, LRDC #10
Fresno County Office of Education
1111 Van Ness
Fresno, CA 93721-2000
(559) 265-3038/FAX (559) 265-3028

Heather Dabel, LRDC #12
Kern County Superintendent of Schools Office
1300 17th Street
Bakersfield, CA 93301
(661) 636-4527/FAX (661) 636-4042

Matt Zuchowicz, Co-Director LRDC #13
Santa Barbara County Office of Ed.
4400 Cathedral Oaks Drive
Santa Barbara, CA 93160-6307
(805) 964-4711x247/FAX (805) 683-3597

Lorna Lueck, Co-Director LRDC #13
University of California
Davidson Library
Santa Barbara, CA 93106
(805) 893-7111/FAX (805) 893-4676

Cindy Munz LRDC #15
San Bernardino County Office of
Education
601 North "E" Street
San Bernardino, CA 92410-3093
(909) 386-2666/FAX (909) 386-2688

Beverly Edwards, LRDC #16
Textbook Services
1545 Wilshire Blvd., Suite 200
Los Angeles, CA 90017
(213) 625-6994/FAX (213) 481-1479

Sharon McNeil, LRDC #17
Los Angeles County Office of Education
Bellflower Annex - Library Services
9300 Imperial Highway
Downey, CA 90242-2890
(562) 922-6359/FAX (562) 940-1669

Sandra Lapham, LRDC #19
Orange County Office of Education
Technology and Resource Center
200 Kalmus Drive
Costa Mesa, CA 92628
(714) 966-4209/FAX (714) 434-0231

Rovina Salinas, LRDC #24
Contra Costa County Office of Education
77 Santa Barbara Road
Pleasant Hill, CA 94523-4215
(925) 942-5332/FAX (925) 942-5398

Karol Thomas, LRDC #27
San Mateo County Office of Education
The SMERC Library
101 Twin Dolphin Drive
Redwood City, CA 94065-1064
(650) 802-5651/FAX (650) 802-5665

Steve Woods, LRDC #30
Tulare County Office of Education
7000 Doe Avenue, Suite A
Visalia, CA 93291
(559) 651-3077/FAX (559) 651-1012

Patti Johnson, LRDC #33
Office of Ventura County Supt. of Schools
570 Airport Way
Camarillo, CA 93010
(805) 388-4407/FAX (805) 388-4427

Mary Ann Liette, LRDC #18
Riverside County Office of Education
3939 13th Street
Riverside, CA 92502
(909) 826-6684/FAX (909) 826-6924

Barbara Takashima, LRDC #21
San Diego County Office of Education
6401 Linda Vista Road
San Diego, CA 92111-7399
(858) 292-3557/FAX (858) 467-1549

Ann Dalton, LRDC #26
San Francisco Unified School District
Textbooks, Libraries, and Media Services
2550 25th Avenue, North Wing
San Francisco, CA 94116
(415) 759-2955/FAX (415) 731-6620

Robin Hopper, LRDC #28
Merced County Office of Education
632 West 13th Street
Merced, CA 95340
(209) 381-5910/FAX (209) 381-6774

Joan Kunkler, LRDC #31
California Polytechnic State University
Kennedy Library
San Luis Obispo, CA 93407
(805) 756-2273/FAX (805) 756-2346

Peter Doering, LRDC #34
Santa Clara County Office of Education
1290 Ridder Park Drive, #232
San Jose, CA 95131-2398
(408) 453-6800/FAX (408) 453-6815

ATTACHMENT J

CALIFORNIA CODE OF REGULATIONS, TITLE 5, EDUCATION

Chapter 9. Instructional Materials*

*For State Board procedures relating to text books, see Div. 20.

Subchapter 1. Elementary Instructional Materials Article 1. General Provisions

§ 9500. Definition.

NOTE: Authority cited: sections 33031, 60401 and 60500, *Education Code*. Reference: sections 20241(e)(2) and 60024 *Education Code*.

§ 9501. Ownership of Materials.

NOTE: Authority cited: sections 33031, 60401 and 60500, *Education Code*. Reference: sections 60295 and 60315, *Education Code*.

§ 9502. Loan of Instructional Materials.

NOTE: Authority cited: sections 33031, 60404 and 60500, *Education Code*. Reference: sections 60314 and 60315, *Education Code*.

§ 9503. Distribution of Large Print Textbooks.

§ 9504. Distribution of Braille Textbooks.

NOTE: Authority cited: sections 33031, 60401 and 60500, *Education Code*. Reference: section 60312, *Education Code*.

§ 9505. Purchase of In-Service Training.

No cash allotment authorized by *Education Code* section 60242(b) for purchase of in-service training shall be expended for salaries or for travel or per diem expenses of district employees doting or attendant to participation in such in-service training.

NOTE: Authority cited: section 33031, *Education Code*. Reference: section 60242(b), *Education Code*.

§ 9506. Improvement of Quality and Reliability Through Learner Verification.

A plan developed by a publisher or manufacturer to improve the quality and reliability of instructional materials through learner verification shall include, but not be limited to, the following components:

- (a) A design for evaluating the effectiveness of the materials in achieving a positive impact on pupil learning, including the effectiveness of the materials with diverse pupil populations and pupils with special needs.
- (b) A description of the process for the collection of field testing data.
- (c) Provisions for input on the materials from parents, teachers, pupils, and administrators.
- (d) A description of the process by which problems with the materials will be identified and a description of the anticipated procedures for solving the problems.

NOTE: Authority cited: sections 33031 and 60206, *Education Code*. Reference: section 60226, *Education Code*; and *Engelmann v. State Board of Education* (1991), 2 Cal. App. 4th 47, 50.

Article 2. Standards and Criteria for Adoption of Instructional Materials

§ 9510. Standards and Criteria for Specific Subject Matter Adoptions.

NOTE: Authority cited: sections 33031 and 60004, *Education Code*. Reference: Chapters 1 and 2 of Part 33 of Title 2, and section 60401, *Education Code*.

§ 9511. Standards and Criteria for All Subject Matter Adoptions.

The standards and criteria in the publication entitled *Standards for Evaluating Instructional Materials for Social Content*, 2000 Edition, approved by the State Board of Education on January 13, 2000, and published by the California State Department of Education in 2000 are incorporated in this section by reference and apply to all State Board of Education adoptions of instructional materials in all subjects.

NOTE: Authority cited: sections 33031, 60005, 60048(d), 60200(o) and 60206, *Education Code*. Reference: sections 60040-60044, 60048, 60220 and 60200.2 *Education Code*.

Article 2.1. Adoption of Curriculum Frameworks and Instructional Materials-Procedures

§ 9515. Definitions.

- (a) “Board” means the State Board of Education.
- (b) “Curriculum Commission” means the Curriculum Development and Supplemental Materials Commission.
- (c) “Department” means the California Department of Education.
- (d) “Schedule of Significant Events” means the dates promulgated by the Department in the “Invitation to Submit Basic Instructional Materials for Adoption in California.”
- (e) “Period of Adoption” means the period of time that the instructional materials shall remain in adoption. This time period shall be specified in the “Schedule of Significant Events.”

NOTE: Authority cited: sections 33031 and 60004, *Education Code*. Reference: sections 33539, 60019, 60020 and 60200. *Education Code*.

§ 9516. Advisory Task Forces and Committees to the Curriculum Commission.

The Board may, upon recommendation by the Curriculum Commission, appoint task forces or committees of subject matter experts to assist and advise the Curriculum Commission. Each task force or committee shall include, at the time of appointment, a majority of current classroom teachers providing instruction in kindergarten and grades one to eight, inclusive, or mentor teachers, or certificated teachers employed by school districts of county offices of education who are not in a position that requires a services credential with a specialization in administrative services, or any combination of those teachers. The primary criteria for membership shall be

subject matter expertise and professional knowledge of, and successful experience with, effective educational programs and practices for the full range of the state's diverse population. The Board shall, to the extent possible, appoint persons who are representative of the various ethnic groups and types of school districts in the state. Nothing in this section shall preclude public members, i.e., noneducators, from serving on a task force or committee as the Board may deem appropriate.

For the purpose of developing a curriculum framework or for other activities not associated with the evaluation of basis instructional materials, the Board may expand the committees or task forces to include teachers who provide instruction in kindergarten and grades one to twelve, inclusive.

NOTE: Authority cited: sections 33031 and 60004, *Education Code*. Reference: sections 33530 and 60204, *Education Code*.

§ 9517. Invitation to Submit Basic Instructional Materials for Adoption.

The Board shall ensure that a written notice of an upcoming adoption of instructional materials is mailed to every person or firm who has submitted a request for notice to the Department and to any person or firm whom the Department, in its judgment, deems to be interested in the notice. This notice shall be known as the Invitation to Submit Basic Instructional Materials for Adoption in California. The failure to mail an invitation to any person as provided in this section shall not invalidate any action taken by the Board, Curriculum Commission, or Department.

With respect to the submission of instructional materials for adoption by the Board, publishers and manufacturers shall comply with the following requirements:

- (a) Instructional materials may be submitted in any language, but essential teachers' materials shall be included in English.
- (b) Publishers and manufacturers shall indicate, either in the teacher's edition or in the student's edition or both, which literary works contained in the student's edition or teacher's edition have been abridged, adapted, or excerpted. Publishers and manufacturers shall provide detailed descriptions of these changes upon request by the Department or local educational agencies.
- (c) Publishers and manufacturers shall list, either in the teacher's edition or in the student's edition or both, only authors, reviewers, consultants, advisors, field-test teachers, and others who actually contributed to the development of the materials and shall indicate, for those who are listed, in what capacity they served: Publishers and manufacturers shall provide additional related information upon request by the Department or local educational agencies.
- (d) *Education Code* sections 32060-32066 prohibit the purchase of toxic art or craft supplies for grades kindergarten through six and allow their purchase for grades seven through twelve only if they display a warning label. Publishers and manufacturers shall ensure that all art or craft materials included or suggested in their instructional materials comply with the requirements of these *Education Code* sections.
- (e) On or before 5:00 P.M. of the date specified in the Schedule of Significant Events, which is included in the Invitation to Submit Basic Instructional Materials for Adoption, publishers and manufacturers shall provide to the Department a list of all instructional materials that will be submitted for adoption. Receipt of submission information after this deadline shall

result in disqualification of the instructional materials from further consideration in the current adoption unless publishers or manufacturers can show extenuating and compelling circumstances beyond their control.

- (f) On or before 5:00 P.M. of the date specified in the Schedule of Significant Events, publishers and manufacturers shall deliver samples of instructional materials to the evaluators and locations specified by the Department. Failure to meet the deadline for delivery of samples shall result in disqualification of the instructional materials from further consideration in the current adoption unless the publisher or manufacturer can show extenuating and compelling circumstances involving natural disasters or independent carriers beyond the control of the publishers and manufacturers. In addition:
 - (1) Publishers and manufacturers shall deliver all samples in final form (i.e., a form that will be offered for purchase over the period of adoption) unless written permission to submit a sample in other than final form is obtained from the Department before any samples are shipped.
 - (2) Publishers and manufacturers shall deliver all samples free of shipping, handling, sampling, or other charges.
 - (3) After the final date for delivery of samples, changes or modifications to instructional materials during the adoption review period by the publisher or manufacturer shall result in disqualification of the materials from the adoption unless those changes or modifications are made pursuant to the Board's social content review or educational content review.
 - (4) Publishers and manufacturers shall retrieve samples of nonadopted instructional materials from display centers during the first thirty (30) days following the date of Board adoption. The deadline for retrieval shall be specified in the Schedule of Significant Events in the invitation. All materials shall be retrieved without any cost to the display center or its staff. Display center directors may dispose of or donate for educational use any samples of instructional materials not retrieved within the 30-day period. Board and Curriculum Commission members, instructional materials reviewers, and Department staff may offer their samples back to publishers and manufacturers, retain their samples, or donate them, provided that the materials are used to benefit public education in California.
- (g) On or before 5:00 P.M. of the date specified in the Schedule of Significant Events, publishers and manufacturers shall submit to the Department price quotations (bids) for the sale of completed materials, including all transportation costs.
- (h) Publishers and manufacturers are discouraged from withdrawing from a state adoption after the submission of their materials. No publisher or manufacturer may withdraw their submitted instructional materials from a state adoption within seven working days prior to the beginning of the Instructional Resources Evaluation Panel educational content de- dates) shall be specified in the Schedule of Significant Events. Publishers and manufacturers withdrawing prior to this date shall be so noted in the Curriculum Commission's report of adoption recommendations.
- (i) Other than during the times specified in the Schedule of Significant Events, publishers and manufacturers shall not contact Instructional Resources Evaluation Panel members during their tenure to discuss anything related to the state evaluation or state adoption of materials.

Contact initiated by publishers or manufacturers regarding the evaluation or adoption of materials may lead to disqualification of the publisher's or manufacturer's materials from further consideration in the current adoption, legal action, or both. Instructional Resources Evaluation Panel members shall not discuss materials under adoption consideration with publishers or manufacturers or their spokespeople or representatives.

- (j) Publishers and manufacturers shall not publicize in printed marketing materials any part of the Instructional Resources Evaluation Panel Report.

NOTE: Authority cited: sections 33031 and 60004, *Education Code*. Reference: sections 32060-32066, 60071 and 60200-60222, *Education Code*.

§ 9518. Social Content Review of Instructional Materials.

The standards and criteria in the publication entitled Standards for Evaluation of Instructional Materials with Respect to Social Content, referenced in section 9511, shall apply to all instructional materials approved by the Board for compliance with social content requirements, as follows:

- (a) Reviews of instructional materials for compliance with social content requirements may be conducted by the Department or its agent.
- (b) The Department shall notify publishers or manufacturers in writing of approval of instructional materials for compliance with social content requirements or any citations of noncompliance.
- (c) If a publisher or manufacturer requests that their instructional materials be reviewed for compliance with social content requirements, and those materials are not concurrently being submitted for adoption, the Department or its agent may charge publishers and manufacturers a fee not to exceed the cost of the service for conducting a social content review and/or for including them in the list of instructional materials which have been approved by the Board for compliance with social content requirements. The list of approved materials shall be available to all school districts in the state. The publisher or manufacturer requesting such a review shall provide samples of instructional materials in completed form and in numbers to be determined by the Department.
- (d) A publisher or manufacturer may appeal the decision of the Department or its agent to the Curriculum Commission. The following procedures apply:
 - (1) Within thirty (30) days from the postmark date of the Department's written notification to a publisher or manufacturer of noncompliance with social content requirements, a publisher or manufacturer shall notify the Department in writing of proposed revisions or intent to appeal.
 - (2) The appeal shall be limited to consideration of citations of noncompliance identified during the initial social content review.
- (e) A publisher or manufacturer may appeal the decision of the Curriculum Commission to the Board.
 - (1) Within ten (10) days following the postmark date of the Curriculum Commission's written decision, a publisher or manufacturer shall notify the Curriculum Commission chairperson of any intent to appeal to the Board.

- (2) An appeal to the Board shall be limited to consideration of revisions or issues raised during the first-level appeal.
- (f) Instructional materials which have been approved for compliance with social content requirements shall not be re-evaluated unless the materials have changed substantively, or the Board's social content standards and criteria have been amended to the extent that, in the judgment of the Board, a re-evaluation is necessary.
- (g) Publishers and manufacturers shall not describe or represent as adopted by the Board those instructional materials which have passed only a social content review at the state level. Misrepresentation may result in deletion of the instructional materials from the list of materials approved for compliance with social content requirements.

NOTE: Authority cited: sections 33031 and 60004, *Education Code*. Reference: sections 60040-60044 and 60200, *Education Code*.

§ 9519. Display of Instructional Materials and Curriculum Frameworks.

Before final adoption of any instructional materials, the Board shall make any instructional materials recommended for adoption available for public review for not less than thirty (30) days at display centers designated by the State Superintendent of Public Instruction. These dates shall be specified in the Schedule of Significant Events.

Samples of instructional materials adopted by the Board shall be available at display centers for a minimum of two years from the date specified in the Schedule of Significant Events.

Prior to recommending any curriculum frameworks to the Board for adoption, the Curriculum Commission shall ensure that copies of the curriculum framework are mailed to any person upon request to the Curriculum Commission. Copies shall also be available at specified display centers throughout the state.

Public comment forms shall be provided at the display centers and may be used for written statements regarding instructional materials and curriculum frameworks. Use of a public comment form to submit a written statement shall not be required.

NOTE: Authority cited: sections 33031 and 60004, *Education Code*. Reference: section 60202, *Education Code*.

§ 9520. Written Statements to the Curriculum Commission Regarding Instructional Materials and Curriculum Frameworks Submitted for Adoption.

Any person may submit to the Curriculum Commission a written statement regarding any instructional materials or curriculum frameworks submitted for Board adoption, as follows:

- (a) A statement of error appearing in the instructional materials or curriculum framework. The statement shall indicate the page, pages, or place in which the error appears, shall include a specification of the error, and, where possible, shall mention a responsible source of information from which the Curriculum Commission can confirm the existence of such error.
- (b) A statement of objection to a specified item of content which shall include the page number of other identification of, and reference to, the item of content to which objection is made, and the grounds for the objection.

- (c) Comments relating to any other factor of which the Curriculum Commission should be aware before making a decision to recommend the instructional materials or curriculum framework to the Board for adoption.
- (d) A general objection to the adoption of the instructional materials or curriculum framework. The statement shall include a brief statement of the objection and evidence or grounds supporting the objection.
- (e) A statement supporting the instructional materials or curriculum framework as a whole or any portion thereof. The statement shall include the reasons for supporting the recommended adoption or for supporting specified portions thereof.

Written statements, typewritten (or in clearly legible manuscript), shall be mailed postpaid to the Executive Secretary of the Curriculum Development and Supplemental Materials Commission, 721 Capitol Mall, Sacramento, California, 95814, postmarked not later than ten (10) days prior to the date set for the Curriculum Commission's public hearing on the instructional materials or curriculum framework.

NOTE: Authority cited: sections 33031 and 60004, *Education Code*. Reference: section 60202, *Education Code*.

§ 9521. Public Hearings Held by the Curriculum Commission and the Board Regarding Instructional Materials and Curriculum Frameworks.

Prior to recommending a curriculum framework or any instructional materials to the Board for adoption, the Curriculum Commission shall hold at least one public hearing on the curriculum framework and at least one public hearing on any instructional materials submitted for Board adoption.

Prior to adopting a curriculum framework, the Board shall hold a public hearing on the curriculum framework. Pursuant to *Education Code* section 60203, the Board shall hold a public hearing on any instructional materials submitted for adoption.

NOTE: Authority cited: sections 33013 and 60004, *Education Code*. Reference: sections 60203 and 60204, *Education Code*.

§ 9522. Speakers.

Persons wishing to address the Curriculum Commission on a subject to be considered at a further meeting, including any matter designated as a public hearing, shall present a written request to the Executive Secretary of the Curriculum Development and Supplemental Materials Commission, 721 Capitol Mall, Sacramento, California, 95814, by noon of the third working day before the scheduled meeting, stating the subject they wish to address, the organization they represent, if any, and the nature of their testimony.

NOTE: Authority cited: sections 33031 and 60004, *Education Code*. Reference: sections 33530, 33534 and 33535, *Education Code*.

§ 9523. Presentation of Public Testimony.

At or before the hearing at which oral comments from the public are to be received, the Curriculum Commission chairperson or the chairperson of a hearing body other than the full Curriculum Commission shall determine the total amount of time that will be devoted to hearing

such oral comments, and may determine the time to be allotted to each person or to each side of an issue.

NOTE: Authority cited: sections 33031 and 60004, *Education Code*. Reference: section 33536. *Education Code*.

§ 9524. Waiver by Chairperson.

At any time, upon a showing of good cause, the Curriculum Commission chairperson or the chairperson of a hearing body other than the full Curriculum Commission may waive the requirements of sections 9522 and 9523.

NOTE: Authority cited: sections 33031 and 60Q04. *Education Code*. Reference: section 33536. *Education Code*.

Article 2.2. Acquisition of Adopted Instructional Materials

§ 9527: Free Instructional Materials.

If free instructional materials are offered to school districts, publishers and manufacturers shall comply with the following requirements in addition to those stated in *Education Code* section 60061:

- (a) Free instructional materials shall comply with the requirements of *Education Code* sections 60040-60044 and the Board's Standards' for Evaluation. of Instructional Materials with Respect to Social Content.
- (b) Publishers and manufacturers shall inform the Department in writing of all offers of free instructional materials within thirty (30) working days of the effective date of the offer so that all school districts may have the opportunity to order these materials. Failure or refusal by the publisher or manufacturer to inform the Department within this deadline shall constitute a rebuttable presumption that the violation of *Education Code* section 60061 was willful.

NOTE: Authority cited: sections 33031 and 60004, *Education Code*. Reference: section 60061, *Education Code*.

§ 9528. Alternate Formats of Adopted Instructional Materials.

Alternate formats are (1) instructional materials which are identical in content to adopted instructional materials but different in physical format. or (2) translations or literature that is equivalent in content to adopted instructional materials. Publishers and manufacturers may submit alternate formats of adopted instructional materials to the Department for approval at any time during the period of adoption.

Submissions for approval shall include a sample of the proposed alternate format material.

An alternate format package may include free instructional materials that have not been adopted by the Board, provided that:

- (a) the non-adopted free materials have passed a state review for legal compliance with the social content requirements as required by section 9527 and in accordance with section 9518,
- (b) the purchase price of the alternate format package shall not include any costs attributable to the non-adopted free instructional materials such as, but not limited to, development and production, correlation to the adopted materials, packaging and shipping costs,
- (c) the publisher or manufacturer includes with the submission a certification of compliance with the proviso in subdivision (b) of this section, and
- (d) the publisher includes in the alternate format package a statement that identifies any items that are free and which have not been adopted by the Board.

NOTE: Authority cited: sections 33031 and 60206. *Education Code*. Reference: sections 60200 and 60222. *Education Code*.

§ 9529. New Editions of Adopted Instructional Materials.

Upon written request by a publisher or manufacturer, the Department may approve anew edition of an instructional material to replace the original edition adopted by the Board, provided that:

- (a) Changes contained in the new edition are so minimal that both the new edition and the old edition maybe used together in a classroom environment. (‘technical upgrades of computer software which do not contain educational or social content changes shall be exempt from this requirement.)
- (b) All changes comply with, the social content requirements of *Education Code* sections 60040-60044 and the Board’s Standards for Evaluation of Instructional Materials with Respect to Social Content.

The price of the original edition or a lower price shall apply until the next scheduled biennial price adjustment for that subject area.

NOTE: Authority cited: sections 33031 and 60004, *Education Code*. Reference: sections 60040-60044, 60061, 60222 and 60223, *Education Code*.

§ 9530. School District Ordering of Instructional Materials.

Each school district shall purchase adopted instructional materials directly from publishers and manufacturers. With respect to the purchase of instructional materials by a school district, the publisher or manufacturer shall comply with the following requirements:

- (a) The provisions of *Education Code* section 60061 and 60061.5.
- (b) Instructional materials furnished and delivered to the school district by the publisher or manufacturer shall conform to and be of the same quality of workmanship as the samples of the respective instructional materials submitted by the publisher or manufacturer to the Department, except that the instructional materials shall also include all revisions, corrections, additions, and substitutions required by the Board at the price adjusted by the Board and the publisher or manufacturer.

- (c) Upon request by any school district, a publisher or manufacturer shall provide a copy of any manufacturing standards and specifications for textbooks with which the publisher or manufacturer is currently in compliance.
- (d) A discontinuation of an instructional material before its adoption expiration date or before eight years, whichever is less, may cause a hardship on the school districts by limiting the reorder availability of components necessary for the use of instructional materials sets or programs. Should the publisher or manufacturer discontinue to supply an instructional material before its adoption expiration date or before eight years, whichever is less, without prior written approval from the district, upon receipt of written notice from the district, the publisher or manufacturer shall buyback, from all school districts having received the program, set, or system within the adoption period of the program, set, or system, all components of the instructional materials program, set, or system in which the discontinued item was designed to be used. The publisher shall buy back the instructional materials program, set, or system at the price in effect pursuant to the purchase order or agreement at the time the particular material from the program, set, or system is discontinued.
- (e) The failure of the publisher or manufacturer to perform under the term of any purchase order or agreement by late or nondelivery of instructional materials, or the discontinuation to supply materials without prior approval by the Board and the delivery of unauthorized materials will disrupt and delay the intent of the school district's educational process, causing loss and damage to the school, its students, and the public interest. It is difficult to assess and fix the actual damages incurred due to the failure of the publisher or manufacturer to perform. Therefore, the publisher or manufacturer shall comply with any of the following requirements made by the school districts pursuant to this section as compensating or liquidating damages and not as penalties:
 - (1) For purposes of this subdivision, unauthorized instructional materials are those that do not appear in exact description and terms in the purchase order or agreement or are materials that have not been approved for delivery to California schools in written notice to the publisher or manufacturer from the Board or Department. Should the publisher or manufacturer deliver unauthorized instructional materials to the school district, on written notice from the district, the publisher or manufacturer shall comply with the following requirements:
 - (A) Withdraw the delivered unauthorized instructional materials from the school district.
 - (B) Replace the unauthorized instructional materials with authorized materials that are comparable in subject matter, quality, quantity, and price in the California schools.
 - (C) Incur all costs of transportation or any other costs involved to complete the transactions of withdrawing and replacing unauthorized materials.
 - (D) Complete the transactions of withdrawing unauthorized instructional materials and replacing them in the school district with comparable authorized materials within 60 calendar days of the receipt of written notice from the district.
 - (2) Should the publisher or manufacturer fail to deliver instructional materials within 60 days of the receipt of a purchase order from the school district and the publisher or manufacturer had not received prior written approval from the district for such a delay in delivery, which approval shall not be unreasonably withheld, the school district may assess as damages an amount up to five hundred dollars (\$500) for each working day

the order is delayed beyond sixty (60) calendar days. If late delivery results from circumstances beyond the control of the publisher or manufacturer, the publisher or manufacturer shall not be held liable. Pursuant to this section, the maximum dollar amount that shall be assessed to the publisher or manufacturer by the school district from any individual purchase order shall be twenty thousand dollars (\$20,000.00). Should the district take such action, the district shall give the publisher or manufacturer written notification of the delivery delay and the date commencing the accrual of dollar amounts to be assessed to the publisher or manufacturer.

NOTE: Authority cited: sections 33031 and 60004, *Education Code*. Reference: sections 60061 and 60061.5, *Education Code*.

§ 9531. Instructional Materials Funding Realignment Program: Expenditure Policy Percentages and 24 Month Purchasing Requirement.

- (a) As much of the allocation, as is necessary, from the Instructional Materials Funding Realignment Program (IMFRP) annual appropriation to local education agencies must be spent to purchase textbooks or basic instructional materials adopted subsequent to the adoption of content standards (Education Code section 60605) for each pupil, in reading language arts, mathematics, history-social science, and science.
 - (1) For kindergarten and grades 1 to 8 this shall be textbooks or basic instructional materials adopted by the State Board of Education (SBE) pursuant to Education Code section 60200 inclusive. For grades 9 to 12, this shall be textbooks or instructional materials adopted by the local governing board pursuant to Education Code section 60400 following receipt of the standards maps submitted by publishers in accordance with Education Code section 60451.
 - (2) Textbooks or instructional materials must be purchased that are consistent with the content and cycles of the curriculum frameworks as required by Education Code section 60119.
 - (3) To ensure compliance with Education Code section 60119, first priority shall be for the purchase of textbooks or instructional materials after the adoption of the K-12 Reading Language Arts Curriculum Framework (December 1998), and the K-12 Mathematics Curriculum Framework (December 1998). For purposes of K-8 instructional materials, only mathematics materials adopted in or after 2001 and reading/language arts/English language development materials adopted in or after 2002 meet the requirements of this paragraph.
 - (4) Second priority shall be for the purchase of K-8 SBE adopted textbooks or basic instructional materials in history-social science (1999) and science (2000), or 9-12 textbooks or instructional materials adopted locally after the completion of the K-12 History-Social Curriculum Framework (October 2000) and the *K-12 Science Curriculum Framework* (February 2002).
- (b) Upon certification by the local governing board that each pupil has been provided with a standards-aligned textbook or basic instructional materials in the four core curriculum areas, up to 100 percent of the annual IMFRP funds may be spent to purchase other instructional materials adopted by the SBE pursuant to Education Code section 60200 for kindergarten and grades 1 to 8, inclusive, or by the governing board pursuant to Education Code section

60400 for grades 9 to 12, as may be necessary to meet the requirements of Education Code section 60119 in all subjects which are consistent with the content and cycles of the curriculum frameworks.

- (c) Upon determination through the annual local public hearing and approval of a resolution by the local governing board, pursuant to Education Code section 60119, that each K-12 pupil has, or will have prior to the end of that fiscal year, sufficient textbooks or instructional materials or both, or the local governing board has taken action to ensure sufficiency of textbooks or instructional materials or both within a two-year period as required, and also that pursuant to Education Code section 60422(a), the local governing board has provided each K-12 pupil with standards-aligned textbooks or basic instructional materials by the beginning of the first school term that commences no later than 24 months after those materials were adopted by the SBE or, for grades 9-12, inclusive, were adopted by the local governing board, up to 100% of the remaining Instructional Materials Funding Realignment funds may be spent on any of the following:
 - (1) Instructional materials, including but not limited to supplementary instructional materials and technology-based materials, from any source and approved locally or by the state for legal and social compliance pursuant to Education Code sections 60040-60045 and 60048 and the SBE guidelines in *Standards for Evaluating Instructional Materials for Social Content* (revised 2000).
 - (2) To purchase tests.
 - (3) To bind basic textbooks that are otherwise useable and are on the most recent list of basic instructional materials adopted by the state board and made available pursuant to Education Code section 60200 or by the governing board pursuant to Education Code section 60400 for grades 9 to 12.
 - (4) To fund in-service training related to instructional materials.
 - (5) To purchase classroom library materials for kindergarten and grades 1 to 4 with the condition the school district has developed a district wide classroom library plan pursuant to Education Code section 60242 (d)(1), (2) and (3).
- (d) For purposes of subdivision (c) and Education Code section 60422 (a), the reference to adoption of textbooks or basic instructional materials by the SBE shall refer to a primary adoption, which is the first adoption after the adoption of evaluation criteria by the SBE. A primary adoption is distinguished from a follow-up adoption, which is the second adoption of textbooks or basic instructional materials conducted by the SBE using the same evaluation criteria. Textbooks and basic instructional materials adopted in a follow-up adoption are added to the then-existing list of adopted textbooks and basic instructional materials for a subject area, and the period of adoption for those materials is the remaining time of the list for the primary adoption.
- (e) Notwithstanding the provisions of subdivisions (a) and (b), in a fiscal year immediately following a primary adoption of textbooks and basic instructional materials in reading/language arts, mathematics, history-social science, or science, a local education agency may use up to nine dollars (\$9.00) per student of a local agency's IMFRP allocation for that fiscal year generated by students in kindergarten through grade 8, and grades 9-12 inclusive, for the purposes specified in paragraphs (1) to (5), inclusive, of subdivision (c), provided the local governing board certifies by resolution adopted at a duly noticed public

meeting a decision to pilot (i.e. evaluate in actual classroom application), during that fiscal year immediately following the primary adoption, one or more of the textbooks or basic instructional materials adopted by the SBE in that primary adoption. The local governing board certification must be made after the SBE concludes the primary adoption and before the commencement of the fiscal year immediately following that primary adoption.

NOTE: Authority cited: Sections 33031 and 60005, Education Code. Reference: Sections 60242, 60242.5, 60421, and 60422.

HISTORY:

1. New article 2.3 (sections 9531-9532) and section filed 1-16-2003 as an emergency; operative 1-16-2003 (Register 2003, No. 3). A Certificate of Compliance must be transmitted to OAL by 5-16-2003 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 1-16-2003 order, including amendment of subsection (a)(3) and Note, transmitted to OAL 5-12-2003 and filed 6-16-2003 (Register 2003, No. 25).

§ 9532. School District or Charter School in its First Year of Operation or of Expanding Grade Levels at a School Site.

(a.)

- (1) In order to be eligible to receive funding pursuant to Education Code section 60421 and consistent with Education Code section 47652, in the current fiscal year, a charter school in its first year of operation must commence operation on or before September 30 of that fiscal year. A charter school in its first year of operation that begins operations after September 30 of the current fiscal year shall not be eligible to receive instructional materials funding until the following fiscal year.
- (2) For the purposes of this section and Education Code section 60421, “operation” shall be defined as providing instruction to pupils enrolled in the charter school.
- (3) For purposes of receiving funding pursuant to Education Code section 60421, and consistent with Education Code section 35534, except as provided in Education Code sections 35535 and 35536, the first year of operation of a school district shall be July 1 of the calendar year following the calendar year in which the school district reorganization action is completed.

(b.)

- (1) For the purposes of Education Code section 60421, “expanding grade levels” shall be defined as additional grades in the current fiscal year that did not exist as a school site of the school district or charter school in the prior fiscal year. For charter schools that operate multiple sites, expanding grade levels shall also only include any additional grades that did not exist in the prior fiscal year when considering all of the individual or satellite sites of the charter school in aggregate. If any one site of a charter school with multiple sites provides instruction to pupils in a particular grade level, then that grade level shall not be included in expanding grade levels.
- (2) In order to receive funding pursuant to Education Code section 60421, the provision of instruction to pupils enrolled in the expanding grade levels at a school site of the

school district or charter school shall commence on or before September 30 of the current fiscal year. A school site of the school district or charter school that commences instruction in its expanding grade levels after September 30 of the current fiscal year shall not be eligible to receive funding until the following fiscal year.

- (c) For the purposes of this section and Education Code section 60421, “school site” shall be defined as a school with a separate County/District/School (CDS) code, as maintained by the Superintendent of Public Instruction as of September 30 of the current fiscal year. Charter schools operating multiple school sites under one charter number provided by the SBE and one CDS code shall be considered one school site.
- (d) A school district or charter school in its first year of operation or of expanding grade levels at a school site shall provide enrollment estimates to the California Department of Education by September 30 of the current fiscal year in order for the school district or charter school to receive funding in that fiscal year. The enrollment estimates shall be certified by the school district governing board or the charter school’s charter-granting local educational agency (LEA), as appropriate, and the county office of education in which the school district or charter school’s charter granting LEA is located. These enrollment estimates and the associated funding shall be adjusted for actual enrollment as reported by the California Basic Education Data System for the current fiscal year.

NOTE: Authority cited: Sections 33031 and 60005, Education Code. Reference: Sections 47652 and 60421, Education Code.

HISTORY:

1. New section filed 1-16-2003 as an emergency; operative 1-16-2003 (Register 2003, No. 3). A Certificate of Compliance must be transmitted to OAL by 5-16-2003 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 1-16-2003 order transmitted to OAL 5-12-2003 and filed 6-16-2003 (Register 2003, No. 25).

ATTACHMENT K

Curriculum Frameworks and Instructional Resources (CFIR)

Division Web Addresses

Curriculum Frameworks & Instructional Resources Division

CFIR Office: (916) 319-0881

CFIR Fax: (916) 319-0172

WEBSITES

CDE

<http://www.cde.ca.gov>

CDE Press

<http://www.cde.ca.gov/re/pn/fd/>

CFIR Office

<http://www.cde.ca.gov/ci/cr/cf/>

Curriculum Commission

<http://www.cde.ca.gov/be/cc/cd/>

Curriculum & Instruction

<http://www.cde.ca.gov/ci/>

Education Code & other Calif. Law

<http://leginfo.ca.gov/calaw.html>

Legal Compliance Catalog

<http://www.cde.ca.gov/ci/cr/cf/ap2/lcsearch.asp>

Legislation

<http://leginfo.ca.gov>

Library Information

<http://www.cde.ca.gov/ci/cr/lb/>

Price Lists

<http://www.cde.ca.gov/ci/cr/cf/ap1/plsearch.asp>

Recommended Literature

<http://www.cde.ca.gov/ci/cl/l/>

State Board of Education

<http://www.cde.ca.gov/be/>